

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S601
Submitter Name	julie strange
Submitter first name	julie
Submitter middle name	anne
Submitter surname	strange
Submitter is contact	Yes
Email	jaswithjfn@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	All plans should be looked at one by one, no property developer should expect a 2,3 or 6 storied building can just be planned and go ahead with out neighbours having a say in the process. Emplpy more town planners and create a decent process...Is this a money saving scheme you are trying to develop?... After speaking with Housing Nz about their potential developments in York and Boundary, Waimea Road (between Motueka and Tukuka) It appears some of these plans for 3 and 6 storied building are for the development they want to do in the near future. ...	No council deptartment should have the right to declare it ok to build a 2 or 3 or 6 storied building in residential zones in Nelson, without individual consultation with neighbourhood

Residential Zones	High Density Residential Zone	Oppose	There are no services for people who live here in the zone adjacent to the hospital no shops. The hospital is already a congested area. They need to do something about hospital parking. People who work at hospitals DO NOT WANT to live this close to their work,(Im a hospital worker I know). It is already dangerous at times about Nelson hospital with Franklin village and its residents spilling out on the streets. The A and E is a busy place it doesnt need more congestion in this area. Nelson College and Nelson Intermediate create a large amount fo congestion with kids cars . There is already a reasonable amount of subdivision in this area with many properties now subdivide to 2 and 3 residents....High rise is not appropriate. Best place to build this type of residence is in the St Vincent and vanguard st Area in the commercial zone between these 2 streets. Also do away with some car yards and build some high rise residences (4 storied) in Rutherford st. At least people would be close to supermarkets. 6 storied residences are not appropriate for Nelson at all make them smaller and car parks for all. I have lived in Melbourne and workd as a district nurse. High rises there become appauling ghettos, sadly smelling of urine in the corridors, freqeunt visit from police and me as visiting District Nurse having to engage the use of a security guard to enter the building. It would be sad for Nelson to become like this.	There should be no expectation to build a 6 storied building between Motueka and Tukuka st. In the area by the hospital. This is already a very congested area , its a thoroughfare for traffic into and out of Nelson. I am Trustee for my mother Eiila Strange in this zone. (160 Kawai st south)Her part of the street has become very dangerous, getting in and out of her driveway hazardous. Too much traffic too much hospital parking overflow...
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Residential Zones	Medium Density Residential Zone	Oppose in part	This area is a thoroughfare for Traffic coming off at Boundary road from Waimea rd. I live 214 Kawai st south there is traffic coming down here frequently and also tipahi st. The barriers and planter boxes need to be adjust and removed as they are congesting the streets. Parking is poor people park on both sides of the street creating a small avenue for cars to go through. My drive way is often over parked by people using and working at the Kindy. This area under your plan is a 3 storied zone, I suppose it is useful for council to have it so to then easily create 3 storied houses for housing NZ in York st area. not all the street is suitable for this type of development. The york stream runs through here and drains drain to it. The storm water does not hold in this area I see it bursting out in heavy rain. A 3 storied residence built next to mine would definitely delete my sun all day. The upper end of kawai st south towards York is developing quite quickly with 3 and 4 units been rebuilt in each property. The traffic in this area increasing every year. Ive lived there 7 years. No one in Nelson residential areas should have to live in a 3 storied house. Keep this type of planning for closer to the city.	Re adjust the area from Motueka st to york and boundary road zone to be 2 storied with individual permit required for each plan
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Natural Hazards/Climate Change	General natural hazards/Climate change	Oppose in part	This area has hazards of York stream going through it, which is open in places and dangerous when in flood...The storm water system does not adequately function..culverts popping and water spewing down the streets in heavy rain. The air quality at my place is shocking. I think the airquality check point for my area might be at broads playing fields where air is likely to be cleaner. However at the function of tipahi and Kawai st where my house is. I shut my windows tight in winter at 4pm as the air quality is very poor. I can smell inappropriate wood being burnt and I view smoke billowing out of the house NZ houses opposite me. All NZ houses should have clean heat pump heating no fires as people will burn anything. The amount of fumes from the waimea road traffic is really bad in winter as the cool of the winter helps them lay low in the air. Its quite hazardous to people to breathe this in. shouldnt have high density living here. Put it some where at least where there is a fresh sea breeze in the afternoon and less dampness in the ground. The area about the railway reserve on the hills has no proper drainage I know I lived in thompson terrace, the water just plunges down tho the flat land below.	lesser amount of development of housing between Motueka st and Bishopdale hill.
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Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S602
Submitter Name	Andrew Ng
Submitter first name	Andrew
Submitter surname	Ng
Submitter is contact	Yes
Email	andrewng3840@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose		Plan29 wants to do good, but it's done wrong and it's too much. The city is growing, which is cool, and we need cheaper places to live. But there's not enough proof showing where people want to live and why. Since Plan29 is a big deal, we need better proof. Also, it's so extreme that people can't get behind it and might push away those who support it. We should ditch Plan29, start fresh, ask the people what they want, and grow the city in a way that everyone likes.

Plan29 allows for really tall buildings, which could block sunlight for nearby homes and lower their value. This would also mean less privacy for people. Bad designs in other parts of the country have caused problems before, what is in place that means it won't happen here in Nelson? This is especially concerning because different changes have been made seemingly in secret, or without much publicity.

Some other reason for objection:

****Keeping the Area's Look**:**
With more people in Nelson, we need more homes. In the city center, where there are already big buildings, we can have 4-6 story buildings. But in places where people live, we should not change things so drastically. We can have two-story apartments or split big lands to fit with the community. Maintain or at worst, relax daylight angles slightly and not so dramatically.

****Mixed-Up City Look**:**
Plan Change 29 might lead to random tall buildings in the middle of unchanged areas, making the city look messy.

****Traffic & Parking Issues**:**
More tall buildings mean more cars. The plan doesn't talk about parking, which is a problem. People in Nelson use cars a lot and it will take decades to change behaviours. Without enough parking, streets will be full and it could be dangerous, making public transport even less appealing.

****Old City Systems**:**

Nelson's systems, made for a time when there were only small buildings, might not work with the new plan. For example, when it rains a lot, the city's drains already struggle. As far as I know, there is no matching plan for the new infrastructure required, or if so it comes at a huge cost.

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S603
Submitter Name	SPArchitect Ltd
Submitter Company/Group Name	SPArchitect Ltd
Submitter is contact	Yes
Email	steph@sparchitect.co.nz
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could gain an advantage in trade competition through this submission.
Directly affected	I am directly affected by an effect of the subject matter of the submission that— (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Oppose in part	Medium and High Density Residential zones will kill development in the the Inner City CBD for new Residential. This is critical for the long term viability of the city.	Removal of Medium and High density residential zones.

Documents included with submission

Document name	Plan change 29 - SPA submission
File	planchange29spasubmission.pdf
Description	Summary of Plan change concerns - by Architect - SPArchitect Ltd.

Stephanie Phillips

steph@sparchitect.co.nz

Signed :



Stephanie Phillips

30th October 2023

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

Plan change 29

Stephanie Phillips Architect / Resident - submission

11 Van Diemen St Nelson

Submission for residence feedback on Plan Change 29
 NCC proposed plan change for Nelson City 2023

Submission - Private resident and Registered Architect Nelson

As private resident and Registered Architect, with a practice both working and living in the proposed high density zone. This submission largely focuses on the city centre, city fringe commercial, general residential and medium and high density zones.

1 Introduction

I support the objectives of the plan change

- housing delivery for a well functioning urban environment, while managing natural hazard and heritage

future focused planned built character of the zones, to encourage infill development in a well functioning urban environment and increasing diversity and quality of housing choice.

The proposed plan change does not meet this objective.

- 1.1 **Inner city and commercial zones should be the focus for multi storey** residential development. Residential zoning should not be split into 6 residential zones. General, Medium and High, standard, lower and comprehensive.
- 1.2 The residential zone **changes will not achieve a well functioning urban environment.**
- 1.3 Hazard management is only partially addressed. Geotech input for slope instability is covered in current rules. **Coastal flood risk is not addressed** through not changing current rules.
- 1.4 **Heritage is not protected**, lost in the city centre and **destroyed as adjacent general residential character is not protected** by allowing discordant 6 storey scale development in 1-2 storey general residential zone.

However I do believe there are simple changes that could achieve the desired objectives

2 Concerns

- 2.1 The plan change is too extensive to achieve urban density in the locations most critical to occur
 The proposed plan change footprint as compared to Wellington City centre would extend the multistorey buildings to an area the equivalent from Thorndon, Wellington central & parliament through to and including Cuba and Courtney place. Nelson is not a city on this scale. Wellington has taken 150 years to have a CBD footprint and intensification of this scale. Indeed 100 years ago there were multistorey buildings in greater scale than Nelsons existing CBD. - Refer Appendix 1
- 2.2 Medium and High density zones - will destroy existing amenity and built character of the city that is a key feature of the city.
 The objectives of more development and residents both in the city and within existing residential zones can occur with a more careful and considered approach that does not destroy the amenity for existing residents and built form that is the city character.
- 2.3 3-6 storey buildings destroy amenity to existing 1-2 storey residences
- 2.4 Loss of Sunlight access - Sunlight enables solar panels for resilient low cost electricity. Growing of vegetables for sustainable living. High quality outdoor spaces, sun filled and passively heated living spaces.
- 2.5 Loss of Privacy - the sense of being watched or observed. Buildings of differing scales overlook and over shadow smaller homes.
- 2.6 Loss of rights under the RMA to be consulted, to have value in your primary asset protected and rights to object under existing law. These rights have been gifted to developers, stolen without compensation and for no reasonable gain for the city.
- 2.7 Amplification of height. Due to the ground topography in Nelson a large portion of the high density and medium zone adjoin general residential zones. But the effect on adjacent properties would be even more severe. 19.5m building - 3- 6m higher would cast an even longer shadow. Across multiple properties.

- 2.8 Loss of city character - Nelson has an eclectic heritage character which is typified by covering a range of housing eras. These are in conflict with a multistorey apartment buildings at 19.5m high 1m off a boundary. This leads to a typology that would be the loss of Nelson's heritage - it isn't a single street - Richmond Ave - Elliot St - Seymour Ave it is the streetscape as a whole that is the character of the city - mid century adjacent to 1850's along side 1920's Bungalow. We have been doing infill since the city began, but always in a similar scale. It is the collective whole that is the character of the city. This plan would destroy that character needlessly. If we embraced our existing scale we can proceed with infill that enhances our city. The RMA handbrake has been the 1 dwelling / 600m² which is less dense than existing heritage models of South Street and Elliot Street. We already have a density model in the city as a template.
- 2.9 Loss of rights in a Resource Consent - A six storey building would require Resource Consent for more than 3 dwellings. Under the existing law for a Resource Consent Application the assessment criteria "Effect is less than minor" the biggest effect to the adjacent residences is **this** planning change and the loss of the right to object to the bulk and location of a commercial scale building 1m away from your home. Therefore the ability to argue against the building containing 6 or 12 dwellings - would be difficult as there would be no additional effect with more residents.

3 Unintended consequences

I believe this plan would also lead to disastrous unintended consequences

- 3.1 Acne type development. 4-6 storey buildings are commercial & expensive to build so will be built on cheapest land not in city centre. Commercial buildings require expensive capital costs, lifts, fire systems, multiple design consultants, experienced contractors, cranes etc. however there is a limited number of contractors in Nelson who could complete this work so few could be built per year.
- 3.2 There is a limited client base for this type of construction and suitable residents. There are two new potential developers we should be cautious of - retirement villages and offshore non resident investors.
- 3.3 Retirement village population growth is part of our future demographic but is dangerous as our sole clientele. It would lead to a dying city without young people, and families to continue prosperity and a flourishing population.
- 3.4 Offshore investors would not be resident as many cities have experienced empty apartments do not bring population growth.
- 3.5 Development in the city centre is unlikely to occur in any desirable time scale as the development footprint available is too large. We will end up with a few dotted in existing residential suburbs, driving adjacent residents out. Acne type development - everywhere all at once where you don't want it.
- 3.6 Council has lost the Discretionary rights - to encourage support and facilitate development. This process could encourage a mixed demographic of rentals, affordable, larger apartments and smaller studios. All bringing different people to enhance the city mix.
- 3.7 This plan will kill the hope of rejuvenation of our city centre, which should be the first priority of this plan change.
- 3.8 Flood prone properties price inflation - Residents who want sunlight to their home will move to locations where light is protected. This could fuel a price boom in our coastal flood residential zones as these areas are not affected by the new rules. It is a feasibility that ratepayers in the future will be footing the bill to relocate residents in a future flood disaster - Council should not be driving a price boom in this area at this time.

4 Future focused infill development in a well functioning urban environment, increased diversity and quality of housing choice.

- 4.1 New General Residential zone
- 4.2 Planning changes in the general zone are great. It will allow for intensification that is diverse and cost effective.
- 4.3 Allowing up to 3 dwellings on a site would allow for small infill houses and partitioning, turning a large house into a couple of dwellings. This would significantly and quickly allow for population growth in the city fringe and protect larger character homes as they could be split into several apartments.
- 4.4 Option to increase slightly
8m high allows for 2.1/2 storeys - gives a dynamic gabled street frontage with variation of form.
40% site coverage - could go to 50% where 25% is permeable
Side setbacks 1.5 front - could go to 1m at side and rear
- 4.5 Vehicles - Each site to provide one parking space / dwelling. On site vehicle parking places vehicle responsibility at hand of developer and not reliant on street parking to enable cycle lanes on street instead of vehicle storage.

5 A way forward

- 5.1 Scale. The city CBD is generally 1-2 storey non residential with newer buildings up to 4. Which are well liked and supported. There are 2 x 6+ storey buildings in the entire region. The city could easily accommodate 4 storey - with 2 additional storeys available through clever design (stepped back from road frontage), tradeoff for affordable units or buried parking. Keeping scale at the street edge essentially max of 4 storeys.
- 5.2 City centre Sunlight access. Existing adjacent properties would not be adversely affected as they are already designed for windows to 2 sides only. We don't have this design parameter in our existing residential zones.
- 5.3 The beating heart of the city. The city centre is begging for more intensive development. From previous consultation and attending public meetings, concerned residents appeared to generally support intensification by going up. It was believed to be within the CBD significantly increasing the population living in the city. If we went from current 100 residents to a city on a similar ratio to Wellington where 1/2 are buildings unoccupied by residents and the other taller than Nelson. 3000 residents in our CBD is a reasonable goal.
- 5.4 If we extended the city intensification (max 4 storeys) zone up Vanguard, existing commercial zoned sites and centre of Stoke and Tahunanui add another 2000 residents. If we aim to provide 22000 residents across the suburbs over the next 10 years. Then even if we only utilised the general residential zone rules we would need 4 sites per 100 sites per year to utilise the 3 dwelling rule. This growth is easily manageable with our Construction industry and would add value and diversity to our housing.
-

6 NCC is our key partner

Other cities before us have faced this dilemma.

- 6.1 They have leveraged carrot and stick with discretionary rules held by council to encourage preferred behaviour. We are letting go of this power. We could encourage:
- zero carbon.
 - Timber multi storey construction of which we have world leading expertise within the city
 - Diverse ownership models, rental, Kainga Ora, affordable, high end, short term tenancy, artist in residence.....
 - Discretionary Resource consent is seen within design professionals as a pathway to success. It is not a full Notified Consent, so has the advantage of success while a set of parameters to meet.
 - Design guides or Urban design panel could equally provide parameters for good quality solutions.
- 6.2 However activities that do not feed our residential based vibrant city (such as car yards) can either develop above (4 storeys of apartments) or move to an industrial zone.
- 6.3 Every new development in the city should be mixed use including residential accommodation or have to justify why it is not suitable due to the noise / odour of the activity and then suitability of City location should be questioned.
- 6.4 It is critical to keep Resource Consent - Discretionary process to enable prohibition and encouragement of desired outcomes.
-

7 A new Medium density rule

Christchurch medium density rule.

- 7.1 Any general Residential site can change to medium if they meet certain criteria
- Min 1500 m² (amalgamate 2 or more sites)
 - Go to density of 30 - 65 dwellings / hectare from existing 10 - 15 dwellings.
 - NCC existing residential ratio is 13 / hectare new General zone will be 50 / hectare.
- 7.2 Large sites provide the flexibility to design medium density housing in a way that fits in with the surrounding area. The space available can be used to vary the design and pattern of buildings on the site and to incorporate useful and attractive open areas.
- Taller buildings (up to 11 metres high) must be located away from boundaries so they do not shade or overlook neighbours.**
- Rules that comply with all criteria can be processed without the requirement for limited or public notification

Maximum height of 11m (three storey) except within 15m of a Residential Suburban zone boundary where limited to 8m (two storey)

- 4.5m road setback unless otherwise stated, and garages and carports must be located at least 1.2m be façade of the unit for residential units fronting the road
- 1.8m setback from neighbouring properties unless otherwise stated
- Recession Planes from internal boundaries
- Minimum unit sizes of between 35m² (studio) and 90m² (3 or more bedrooms) and a requirement for a where 6 or more units are proposed.
- Ground floor habitable space requirements
- Outdoor living space requirements include:
 - » Units with 2 or more bedroom units – 30m² per unit, with 16m² being private and accessible.
 - » Ground floor 1 bedroom units – 16m² per unit, minimum dimension of 4m, all private and accessible.
 - » Upper floor 1 bedroom units – 16m² per unit, with 6m² with a minimum dimension of 1.5m being private accessible.
- 1 car park per unit, and 1 cycle space per unit (unless the car park is provided in a garage)
- 40% site coverage by buildings
- Outdoor service space of 2.25m² per unit with a minimum dimension of 1.5m, plus 3m² with minimum c for washing lines
- Landscaping and tree planting requirements
- Acoustic insulation near some types of road
- Maximum building coverage of 40%.

8 Hazard zones

8.1 Hazard Slips

The Geotech requirement for Slip prone sites is essential and a good addition to this plan.

8.2 Flood risk - Ignore and pay later

Flood prone sites are ignored in this plan - with unintended consequence risk as noted above - price boom. The plan change in its current form would fuel a property boom for homes near the city that have protected access to light.

8.3 Flood risk - Wetland proposal

Alternative proposal - Flood prone sites in residential zone - Wetland proposal.

Resource Consent Discretionary option to Jack up existing houses on piles to 10m max height if the site has 100 % permeability at ground level. By lifting the house off the ground with the residence elevated on piles - think Fiji Bure (1-3m as required with the ability to continue to jack up over time - as flood risk increases) - The size of the residence will not increase, it is a method for flood protection of habitable living space. Daylight restrictions would not apply as the goal would be to lift all adjacent properties for mutual protection.

8.4 This proposal needs:

- More development by experts in this field on suitable heights as a flood resilient response for the city
- Coordination with council & experts for suitable flood absorbent planting
- Review of services to be closed system as per marina developments,
- Funding at a National level from climate funds to enable highest risk/ lower lying properties protected first.
- The potential cost would be in the region of \$50 - \$100K versus \$1mill to buy out a property.

This proposal both highlights the risk to residents, provides a plan that maintains value in property and ongoing viability of

8.5 residential accommodation for a significant portion of our population. The risk of Insurance flight and abandoned homes is imminent if nothing is done.

9 Stage reviews

9.1 Build in review stages - with population growth.

9.2 This alternative proposal is based on the CBD being the primary population growth driver. Review every 5-10 years for critical population targets set out in this plan. Adjust as required.

9.3 The proposed medium density rule could be brought in once the CBD hit a population of 2000 - to really focus development in this area first.

9.4 The new general residential rules will kick start a huge amount of infill without a medium density rule in play.

10 Conclusion

10.1 Nelson can provide a future focused planned built character based on our existing typologies, that will encourage infill development in a well functioning urban environment and increasing diversity and quality of housing choice. This plan change could stimulate our city and provide for growing population that will continue to thrive over the generations.

10.2 However the proposed medium and High density rules do not meet this criteria and should be removed.

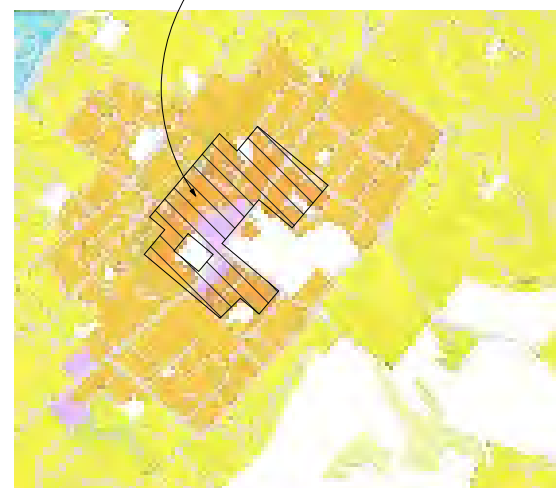
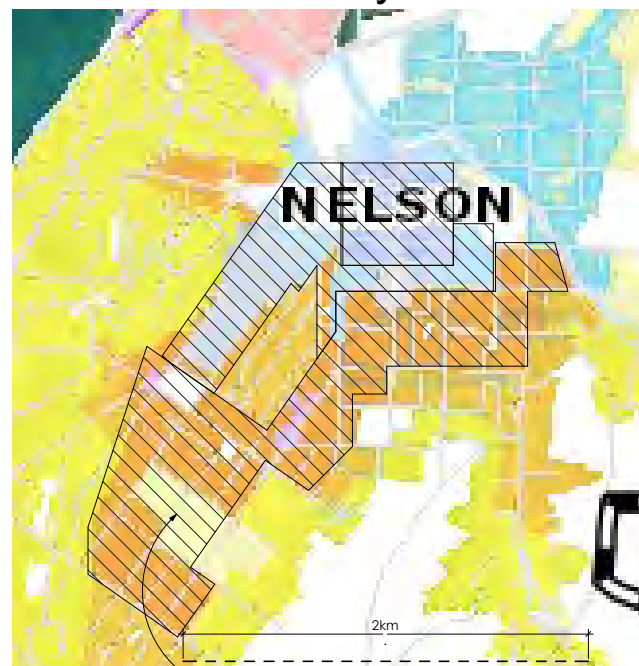
10.3 Adjustments made to the Inner city / commercial and a new Medium density option based on Christchurch Medium density rules for additional height and terrace style housing.

10.4 As an Architect I am excited by the prospect of a rejuvenation of the city and surrounding suburbs. Many people choose to live in Nelson and we can be the city of choice if we define who we are and reflect that in how we develop our city. We can do this by enhancing what we already have.



Wellington City

NCC - Nelson city centre



NCC - Stoke

Existing NCC city
centre
0.3 km2

New High density
1.4 km2

New Industrial
0.6 km2

Stoke centre
City centre and high
density 0.4km2

Total new

2.65km2
9x area

Similar area in
Wellington
all of town , Te Aro

Need to add in
Mt Victoria out to
Oriental parade
meet a sim area
for Nelson

SP Architect
Stephanie Phillips Architect
11 Van Diemen Street
Nelson 7010

CLIENT

ISSUE

PROJECT NO.

PROJECT

DRAWN BY

Author

PROJECT ADDRESS

SPA

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31/10/2023 12:53:46 PM

Online submission

This is a submission that was made online via the Council's website.

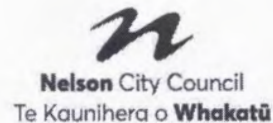
Submitter No.	S604
Submitter Name	EasyDiner limited
Submitter Company/Group Name	EasyDiner limited
Submitter is contact	Yes
Email	theeasydiner@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Mapping	Rezoning	Support in part	The NPSUD requires planning decisions to be responsive to proposals that would add significant to plan enabled capacity that would enable well-functioning urban environments. Rural zoned land that is not in outstanding natural landscapes, that is not covered by the NPS for highly productive land, or in areas that are subject to natural hazards should be available for urban expansion if that land would contribute to well-functioning urban environments.	The proposal is supported in full, but It is submitted that all the no-urban zoned land within 1km from any existing urban zoned land should be zoned urban. This would help ensure enough plan enabled capacity for a range of housing typologies.

Areas outside of the Plan Change	General opposition	Oppose in part	The NPSUD requires planning decisions to be responsive to proposals that would add significant to plan enabled capacity that would enable well-functioning urban environments. Rural zoned land that is not in outstanding natural landscapes, that is not covered by the NPS for highly productive land, or in areas that are subject to natural hazards should be available for urban expansion if that land would contribute to well-functioning urban environments.	The proposal is supported in full, but it is submitted that all the no-urban zoned land within 1km from any existing urban zoned land should be zoned urban and included in the plan change as part of giving effect tot he NPSUD. This would help ensure enough plan enabled capacity for a range of housing typologies.
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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: S605
Date Received Stamp: 31/10/2023
NDOCs No: 539570224-18140

*Required

Submitter Details

Full Name*	Hamish and Jane Grentell		
Organisation			
Contact Person	Derek McLachlan		
Postal address*			
Telephone*	Email*	Derek.Mclachlan@duncancofferill.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)

Date*

31/10/2023

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
- ☐ Residential
- ☐ Inner City and City Fringe
- ☐ Industrial
- ☐ Suburban Commercial
- ☐ Natural Hazards/Climate Change
- ☐ Heritage

- ☐ Papakāinga
- ☐ Transport
- ☐ Mapping
- ☐ Infrastructure
- ☐ Area outside of Plan Change
- ☐ Subdivision
- ☐ 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)

See Appendix A

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 Appendix A

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 ON PLAN CHANGE 29

Submitter Details

1 This submission is made on behalf of Hamish and Jane Grenfell, 7 Ngatiawa Street, Nelson.

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Reasons for Submission

- 3 Plan Change 29 ('**PC29**') forms a fundamental change to existing housing typologies within the Nelson District. Nelson City exhibits many characteristics and values that have not been adequately considered within the PC29 notification documents.
- 4 The Nelson City Council ('**Council**') have notified PC29 under the guise that they are mandated by the National Policy Statement - Urban Development 2020 ('**NPS-UD**') to implement housing intensification standards. The NPS-UD acknowledges that not all urban areas are suitable for intensification due to specific features or characteristics which require protection or further consideration in any given location.
- 5 PC29 misunderstands how the NPS-UD manages amenity values. While changes in amenity values "*are not, of themselves, an adverse effect*"¹, they remain important considerations to whether PC29 achieves a well-functioning urban environment. Changes in amenity values are anticipated to occur over time², and intensification shall be integrated in a manner that has regard to receiving sensitivities. This may require spatial consolidation of intensification to ensure uptake does not occur in an ad-hoc manner.
- 6 The notified documents are deficient in detailed assessment of the effects of implementing higher density housing, particularly in relation to amenity and character of the existing neighbourhoods. The Urban Design Report³ fails to recognise that this assessment will be different depending on specific locality. Without understanding the character and values of each neighbourhood, the proposed rezonings have not been adequately assessed and understood.
- 7 Further, PC29 is lacking a detailed social impact assessment validating the position that the intensification proposed will achieve the benefits claimed in relation to the social, economic, and cultural wellbeing of future generations. Council must still ensure that they achieve a well-functioning urban environment, which requires assessment of all people, inclusive of both current and future generations.
- 8 The NPS-UD does require the Council to provide at least sufficient development capacity in the short, medium and long term.⁴ The Council have identified a relatively small deficit of 864 houses in the long term.⁵ PC29 therefore forms an intensification of unjustified magnitude. We note that Tier 2 councils shall enable housing *commensurate* to relative demand for housing and business use in that location.⁶ The scale (heights and density) of development anticipated under PC29 significantly exceeds the levels of housing demand identified within

¹ NPS-UD, Policy 6

² NPS-UD, Objective 4

³ Section 32, Appendix 3A – B&A, March 2023

⁴ NPS-UD, Policy 2

⁵ Section 32 Report, Appendix 1a

⁶ NPS-UD, Policy 5

the Housing and Business Capacity Assessments ('HBA'). There is significant scope for Council to reduce the scale of PC29 while still meeting their obligations within the NPS-UD.

- 9 Housing intensification would have been appropriately progressed through detailed discussion with the community during the Future Development Strategy 2022 ('FDS 2022'). While the FDS 2022 does identify some areas for intensification, it acknowledges that heights and locations are indicative only and provides a guide for the future. The FDS process anticipated that a finer scale assessment would be undertaken through the amendments to the zoning and rule frameworks. The anticipated finer grained assessment and community engagement was not undertaken prior to notification of PC29.

Relief Sought

- 10 The relief within the Submission Table below seeks the following:

Objectives, Policies and Methodologies

- 10.1 Oppose the introduction of new strategic objectives and policies (and amendments to existing strategic objectives and policies) that prioritise housing intensification without recognising existing character and amenity values of surrounding neighbourhoods, as outlined in Table 1.
- 10.2 Insertion of new strategic objectives and policies which introduce new methodologies restricting development based on qualifying matters, such as Character Area Overlays, as outlined in Table 1.
- 10.3 The use of these methodologies is not spatially limited to the area identified within the Table 1 below, and provides scope to apply qualifying matters (such as Character Areas) over any proposed Medium Density or High-Density residential zoning.⁷

Specific Relief

- 10.4 This submission seeks to zone a specific area as General Residential (as identified within the Table below)
- 10.5 Alternatively, if the High Density and Medium Density zonings are retained in this area, the submission seeks the imposition of Character Area overlay to ensure detailed consideration of development design through consenting phase.
- 10.6 This location holds special characteristics that warrant protection from unrestricted residential development. We note that the area is both within the Grampians Landscape Area (AP9.4) and is identified as having views of critical importance to the district (Table 9.1: Significant Views). Development should only proceed following detailed assessment of the potential impacts on these values.

Scope of Submission

- 10.7 For the purposes of scope of this submission, the provisions identified in the Table 1 below are opposed in their entirety. The relief provided forms an example of drafting amendments only, and alternative relief to these provisions may be progressed through PC29 Hearings or Environment Court appeal processes. Consequential amendments are also anticipated.
- 10.8 For completeness, this submission extends to Council's failure to comply with section 32 of the Resource Management Act 1991.⁸

⁷ For clarity, this submission provides scope for further submitters to submit in support of this submission, seeking imposition of Character Areas (or equivalent qualifying matters) within other areas of the Nelson District.

⁸ *Tussock Rise Limited v QLDC* [2019] NZEnvC 111 at [61]

TABLE 1: SUBMISSION TABLE

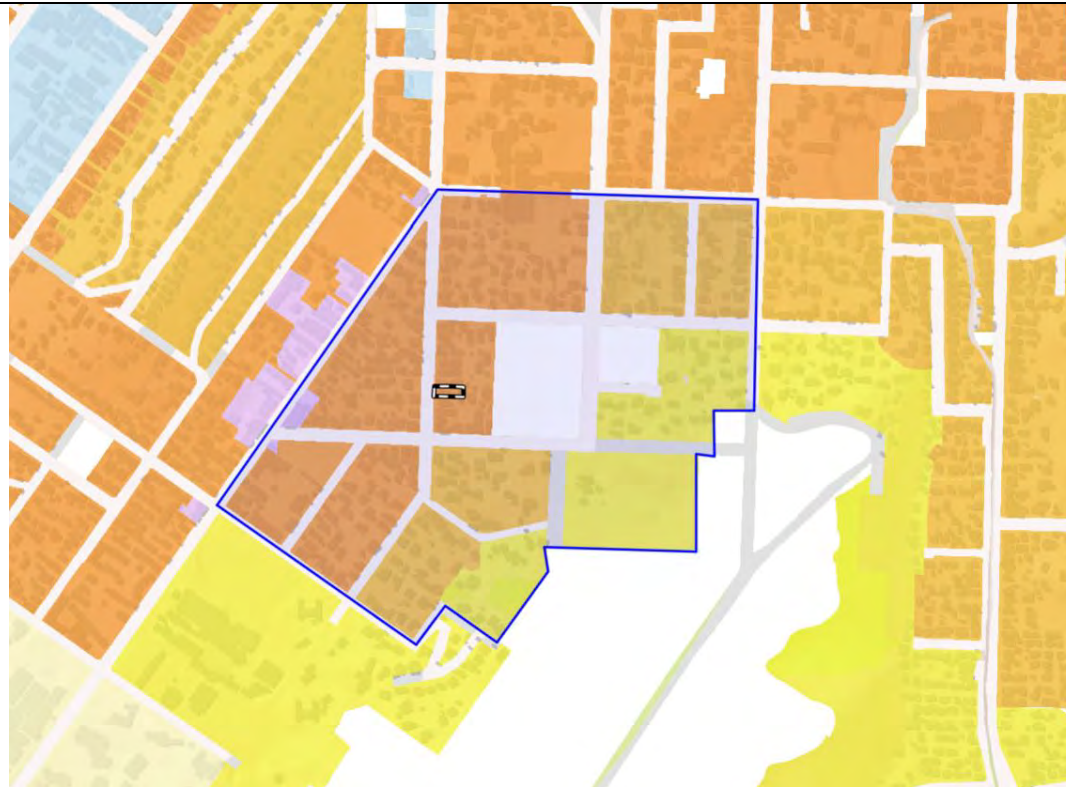
For the purposes of scope of this submission, the provisions identified in the table below are opposed in their entirety. The relief identified provides an example of drafting amendments. Consequential amendments are also anticipated, to ensure proposed methodologies and rules can be incorporated cohesively into the District Plan.

Specific Relief

Area to be zoned General Residential (as opposed to mixture of High Density and Medium Density)

Alternatively, this area is to be subject to Character Area Overlay requiring detailed consideration of built form in exceedance of specific General Residential performance standards. The area deliberately includes some General Residential areas, where they hold values that may contribute to the Character Area Overlay.

This location holds special characteristics that warrant protection. We note that the area is both within the Grampians Landscape Area (AP9.4) and is identified as having views of critical importance to the district (Table 9.1: Significant Views). Development should only proceed following detailed assessment of the potential impacts on these values.



New Definitions/Methodologies	
<u>New definition: Character Area Overlay</u>	<u>means groupings of interrelated, but not necessarily contiguous items, places or features (including view shafts) that collectively reflect neighbourhood character. Character Area may include both contributing and non-contributing items, places or features.</u>
<u>Insert New Policy/Method to apply over Medium Density or High-Density Zoning.</u>	<u>The values of Character Area shall be maintained and enhanced, having regard:</u> i. <u>the original pattern of development within the Character Area, including the relationship of buildings to their site, to neighbouring sites, and to the street;</u> ii. <u>to the contribution existing buildings and fences make, to the Character Areas as a whole; and</u> iii. <u>the extent to which additions and alterations to existing buildings, or the construction of new buildings or fences, are consistent with the built characteristics of the Character Area.</u> *Consequential amendments include insertion of 'Description of Overlays' or Appendices to assist in identification of specific values of a Character Area
Urban Design DO13A	
DO13A.1.1 Local context and environment	Subdivision and development should relate to local topography, climate, heritage, culture, and locally distinctive materials and vegetation, <u>balancing future growth with the values and character of the existing environment.</u> ~~while being future-focussed and accommodating the planned built character of the zone.~~
DO13A.1.1.i Recognising the local context	Quality urban design treats buildings, places and spaces not as isolated elements but as a part of the whole city, its character and environment. Subdivision and development within the city and urban areas should define and reinforce those elements that best express Nelson's identity – its sunny and outdoor lifestyle, seaside location, topography, biodiversity and geology, the colours of the landscape, neighbourhood and architectural styles, and its long history of Māori and subsequent settlement. Subdivision and development should not perpetuate existing patterns of design and layout that are not valued development patterns, nor representative of the urban design outcomes sought progressively through the rolling review of the Plan. For example, subdivision layout can be considered in terms of how it contributes to valued development patterns such as the connectivity of roading networks, retention of valued topographical features, landscape and streetscape values, and the sustainable use of existing infrastructure. The assessment can also include road and allotment layout that enables building development to continue any valued built development patterns in the particular locality, ~~while also enabling development consistent with the planned built character of the zone.~~ Site specific matters such as breach of crossing point maximums, front yard setbacks, fence heights, parking and manoeuvring area rules and standards will be considered in terms of how they contribute to enhanced urban design outcomes for the street, neighbourhood, suburb and overall City and if they continue valued development patterns, ~~or achieve the planned built character of the zone.~~ Therefore, in the consent assessment process, consideration needs to be wider than just the effect on the individual site or sites, to emphasise valued development patterns.
DO13A.4.1 flexibility, choices and adaptability	Subdivision and development facilitate, where appropriate: a. mixed use developments that support a variety of compatible land uses and reflect local needs. b. flexibility to adapt buildings and spaces to accommodate a range of uses both now and in the future. c. a range of building types to provide accommodation and offer opportunities for all groups within the community. d. a range of subdivision layouts that contribute to a diversity of neighbourhood types and identities. e. <u>developments that enable as many people as possible to independently use and interact with the on-site living environments. that provide for additional living opportunities while recognising existing character of the neighbourhood.</u>

DO13A.5.1 Environmentally responsive	Subdivision and development should be environmentally responsive, which for the urban environment includes considering the following opportunities:... m. <u>the consideration of character and values of existing neighbourhoods.</u>
DO13Ae.1.1 environmental results anticipated and performance indicators	Use of locally distinctive materials. Relation to the scale, location and alignments of valued existing development <u>and neighbourhood character</u> ~~where it is compatible with the planned built character of the zone.~~ Retention of topography and natural features. Retention of coastal, historical and cultural connections/features.
Subdivision and development DO14	
DO14.1 City Layout and design	Subdivision and development supports a well-functioning urban environment that recognises and is appropriate to the natural characteristics <u>and values</u> of the City, ~~increase housing choice~~ , and is consistent with principles of high quality urban design and the orderly and efficient use of land.
DO14.1.2 type and intensity of development	The type and intensity of subdivision and development should reflect the natural and physical capabilities of the land and the <u>character</u> and values ~~planned built character~~ of the zone.
DO14.1.3.1 Orderly development	All subdivisions need to be designed having regard to the overall pattern of present and future development in the locality, and the efficient use of the land resource, and provision and use of infrastructure. The efficient subdivision and development of land will be facilitated by requiring subdividers and developers to contribute towards the costs of providing services for new developments. Development of existing sites <u>shall be designed with consideration of the impact on existing character and values of the surrounding environment.</u> ~~is a key way in which the orderly and efficient use of land and existing infrastructure can be achieved in the urban area, while having regard to the other policies in the NRMP.~~
DO14.2 Amenity Values	The amenity values of the built environment <u>develop and change as a result of appropriately located and designed development that improved for future generations through the subdivision and development processes that achieve all of the following:</u> a. compact and vibrant centres and neighbourhoods, and b. <u>developments that incorporate the values of character Area and surrounding neighbourhoods; and</u> c. safe and attractive streets and public open spaces, and d. diversity of housing choices across the city, and e. quality living environments for people.
DO14.2.1	The size and shape of allotments created on subdivision is fundamentally linked to the scale, size, and type of structures that can be built, and the spaces around them. Redevelopment of existing sites can also impact amenity values. Providing for an increase in the variety and density of housing enabled in suitable residential areas can improve amenity values for future generations by providing better access to housing close to commercial activities and community services within a vibrant network of centres. At the same time, increasing the density of housing may reduce the amenity values experienced by some people by enabling a greater height and scale of buildings closer to neighbouring boundaries. <u>Development must therefore recognise and consider existing values and character of surrounding neighbourhood during design phase.</u> ~~This change is necessary to support a well-functioning urban environment in Nelson, which provides genuine choices for people, and minimises the need to expand urban development into rural areas.~~

DO14.2.1 Allotments	The pattern created by subdivision, including allotment sizes, shapes, and dimensions should take into account the range of future potential land uses and the development potential of the area, and any potential adverse effects on the environment and amenity values ~~within the context of the planned built character of the zone~~ , and the relationship of the allotments to any public open spaces (including reserves and streets).
DO14.2.1.iii Allotments	The subdivision of land for residential purposes should create allotments which are of sufficient size and shape to enable dwellings erected upon them to have usable outdoor space and to allow development at a density which is consistent with the ~~character and values of the neighbourhood. planned built character of the zone or area as described in the district wide and residential zone objectives and policies.~~
DO14e.3	<u>Maintained or enhanced</u> ~~improved~~ amenity values.
DO14e.3.1	Consistent treatment of resource consent applications. Complaints to Council. Visual inspection. <u>Maintain existing character and amenity values</u> Increasing housing choices and variety.
Peripheral Urban Expansion DO15	
DO15.1 Urban form	An urban form that supports a well-functioning urban environment in which intensive development is consolidated within existing urban zone boundaries and which avoids or mitigates adverse effects on ecological, recreational, cultural, community, <u>character</u> , and amenity values.
DO15.1.1 Encouragement of development DO15.1.1.i	To encourage development in suitable locations within the urban area to support an increase in the density and diversity of housing supporting activities in accessible locations, <u>while recognising existing character and amenity values.</u> This policy promotes a well-functioning urban environment with a compact urban form, <u>while recognising existing character and amenity of localities.</u> This is to conserve the recreational and visual amenity of the existing rural areas that surround the urban area of the District. It is also to promote the efficient use and development of infrastructure and land, and to provide a framework within which the true costs and benefits of new and existing infrastructure and reticulation are considered. Infill development may be appropriate in many parts of the city, and can involve new development, or redevelopment. It generally provides for greater intensity of use and development.
DO15e.2.1 Environmental results anticipated and performance indicators	Consistent treatment of resource consent applications. <u>Maintain existing character and amenity values.</u> Increase in housing choice and diversity.
Zones DO16	
DO16.iii	The Plan recognises that areas have distinctive environmental characteristics, and what effects of activities are acceptable may differ between areas. The Plan applies a zoning approach to define the different environmental qualities ~~and planned built character sought~~ for different areas and to control the actual and potential adverse effects of development within them. <u>The Plan recognises, through character overlays, where additional consideration of the surrounding environment is appropriate before the full extent of permitted built form of a zone is undertaken.</u>

DO16.v Overlays	Zones are different from overlays. Overlays are areas of the District within which particular issues arise. Chapter 3 describes how overlays are presented in the Planning Maps and outlines the relevant issues. Overlay boundaries are usually determined by the physical extent of, or constraints on, resources and therefore do not coincide with zone boundaries, which often also reflect social conditions. <u>The Plan recognises the uses Areas/overlays that identify qualifying matters, such as Character Area, that require additional consideration of surrounding environment before the full extent of permitted built of the relevant zone is undertaken.</u>
DO16.1.1.i	The primary goal of the Residential Zone is to provide the opportunity for residential accommodation. Past experience has shown that people want a range of living styles to reflect their various needs, while maintaining high levels of amenity. Nuisances have adverse effects on amenity values, and can affect health and safety in residential areas. <u>Development must be undertaken in a manner that ensure appropriate balance between existing activities while providing for future generations. Over time, the appearance of neighbourhoods will change as new development occurs, to achieve the planned built character of the zones as described briefly below and in more detail in the objectives and policies for the zone.</u>
DO16.1.1.iii Medium Density Zone	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 low rise apartments. The zone achieves a medium density residential character by generally limiting the scale and form of buildings to three storeys and requiring 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. <u>The degree of visual change, particularly within Character Area, will be managed through resource consent process.</u> Subject to assessment through the resource consent process, the zone provides for small-scale commercial activities, reflecting that an increasing residential population requires convenient access to services to meet their day-to-day needs.
DO16.1.1.iv High Density Zone	The primary goal of the High Density Residential Zone is to provide the opportunity for high density housing in close walking distance to commercial services and community facilities. The zone enables a range of housing types, with a focus on more intensive forms of housing, including terraces and apartments at a variety of scales. The zone achieves a high-density residential character by generally enabling residential buildings up to six storeys and requiring on site landscaped areas and private open space suitable to the housing types enabled. High density residential development is more intensive than typical low density areas and will result in a high degree of visual change to neighbourhoods. <u>The degree of visual change, particularly within Character Area, will be managed through resource consent process.</u> 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.
Residential (Objectives and Policies) RE1	
REd.1	Nelson's residential areas ~~are have been~~ characterised by low rise dwelling houses on individual lots. Past architectural styles, settlement periods and geographic factors have determined residential character and form, with the varying topography of the city resulting in a range of individual neighbourhoods. <u>This plan seeks to identify and protect the character and amenity of individual neighbourhoods, while facilitating intensification within the appropriate areas of the residential zone(s).</u>
REd.3	The settlement pattern of Nelson is reflected in its geographic setting. The earliest settled parts are within the lower flood plains of the Maitai River, and The Brook and York Valley Streams. Initial development of these areas occurred in the 1840s, with a number of buildings from the 19th century still remaining. ~~There are several streets, precincts, and many individual buildings within Nelson that have heritage significance, and this Plan seeks to encourage their preservation and enhancement. There are many, streets, Character Areas and heritage precincts, and individual buildings within Nelson that have~~ <u>significance, and this plan seeks to encourage preservation and enhancement of those values.</u>
REd.6	Residential areas provide the place where most people sleep and enjoy their leisure time, and quiet, peaceful surroundings are expected. ~~, within the context of an intensifying city.~~

REd.9	The purpose of the General Residential, Medium Density Residential and High Density Residential zones is to collectively provide for housing choice and diversity within well-designed neighbourhoods that have good levels of residential amenity. The greatest density of housing is enabled in the High Density Residential Zone, which is in close walking distance to the main centres, with the Medium Density Residential Zone applying within reasonable walking distance. This recognises the importance of enabling the efficient use of land in accessible locations, where people can easily walk or cycle to meet their daily needs. Elsewhere, the General Residential Zone, Residential – Standard Area, Residential – Comprehensive Area or Residential – Lower Density Area applies, particularly in locations that are further away from the main centres, or that are subject to natural hazards.
REd.10	Over time, the appearance and character of neighbourhoods will change as new development occurs, to achieve the planned built character of the zones as described in the objectives and policies. Collectively, General Residential, Medium Density Residential and High Density Residential zones enable a variety of housing densities, in a variety of forms, including detached, semi-detached, terraced housing and apartments. In achieving the planned built character of the zone, development will have regard to the amenity values of existing residential sites, acknowledging that this is more challenging as the density of development increases. <u>Over time, the appearance and character of neighbourhoods will change as new development occurs. Development shall occur in strategic manner to ensure the maintenance of existing character and amenity values while facilitating intensification.</u>
RE1.1 Densities	A choice of building densities should be provided within the city, taking into account people's preferences, <u>precinct and Character Area values</u>, the existing and planned built character of the Area (as outlined in the policies below), topography, townscape, the capacity of infrastructure, and the constraints of the land resource.
RE1.2 Flexibility in development	a. integrates the design of residential units and any subdivision, and that all required resource consents are applied for concurrently, along with any building consent or building sketch plans, and b. presents a high standard of on site and off site amenity, and c. <u>is designed with regard to existing character and precincts values; and</u> d. is designed with regard to <u>the existing and</u> planned built character of the area, and e. the cumulative effects of such developments do not significantly change the density of the area ~~or detrimentally affect its planned built character,~~ and f. does not diminish the streetscape of adjacent roads, and g. represents quality urban design (refer to DO13A, Chapter 5 - District Wide Objectives and Policies) in particular a diversity of building forms and co location of activities.
RE1.7 Medium Density Residential Zone	Enable medium density residential living that increases housing supply and choice on land within walking distance of the Inner City, City Fringe and Suburban Commercial zones with a planned built character of residential buildings generally up to three storeys; with supporting small scale commercial activities. <u>Medium density development shall recognise and integrate with the values of the existing character of the area.</u>
RE1.7.i	The zone enables a range of housing types, with a focus on more intensive forms of housing, including terraces and low rise apartments. The zone achieves a medium density residential character by generally limiting the scale and form of buildings to three storeys and requiring on site landscaped areas and private open space. Medium density residential development is more intensive than typical density areas and will result in a moderate degree of visual change to neighbourhoods. <u>The degree of visual change, particularly within Character Areas, will be managed through resource consent process.</u>

New RE1.7.iv	<u>Overlays (such as Character Area) identify rules that require additional consideration of the surrounding environment. This ensures high quality living environment and residential amenity.</u>
RE1.8	Efficiently enable high density residential living that increases housing supply and choice on land within close walking distance of the Inner City and Suburban Commercial zones with a planned built character of residential buildings generally up to six storeys; with supporting small scale commercial activities.
Re1.8.i	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 density areas and will result in a high degree of visual change to neighbourhoods. <u>The degree of visual change, particularly within Character Areas, will be managed through resource consent process.</u> ~~The Zone expects development to provide healthy, safe, and quality living environments for residents, within the context of a high density residential environment.~~
New RE1.8.iv	<u>Overlays (such as Character Area) identify rules that require additional consideration of the surrounding environment. This ensures high quality living environment and residential amenity.</u>
Residential Character RE2	
Re2.4 Privacy and Outlook	The location and design of buildings should not unduly compromise outlook and privacy of adjoining development, having regard to ~~the planned built character of the area and the~~ reasonable expectations for development.
Re.2.5 Scale	The size and scale of buildings, structures, and activities should be compatible with the ~~planned built~~ character and amenity of the residential areas.
New RE2.5.vi	<u>Overlays (such as Character Areas) identify rules that require additional consideration of the surrounding environment. This ensures high quality living environment and residential amenity.</u>
Re.2.9 Quality living Environments for Residents RE2.9.i	Enable development of existing or new sites to create a high standard of amenity for residents within and adjoining a development. Enable development of multiple residential units on a site where the development provides minimum building size, outlook from habitable rooms, on site landscaped areas and private open space suitable to the housing types enabled by the zone. ~~Quality developments will enable as many people as possible to independently use and interact with the on-site living environments.~~ <u>Development will recognise values and character of surrounding neighbourhood.</u> A high standard of amenity is expected to be achieved through the use of carefully considered design techniques and features which respond to the site's context and setting, and take into consideration the urban design matters detailed in DO13A - Urban Design, DO14 - Subdivision and Development and appendices 14 - Residential Subdivision Design and Information Requirements and 22 - Guidelines for Comprehensive Housing Development, <u>and identified Character values.</u>
New RE2.9.iii	<u>Overlays (such as Character Area) identify rules that require additional consideration of the surrounding environment. This ensures high quality living environment and residential amenity.</u>
Streetscape, landscape, and natural features RE3	

RE3.2.i RE3.2.iv	A number of significant view shafts and gateways within the residential area provide the community with pleasant views and urban open spaces, while also confirming an identity or sense of place. Gateways refer to the key transition points when moving from one landscape setting to another eg. the bridge on Trafalgar Street, Rocks Road to Tahunanui, the Bishopdale Hill, Hays Corner, Saxton Field and the opposite side of Main Road Stoke, Wakapuaka Road/Atawhai Drive/Queen Elizabeth Drive. The protection and enhancement of these community attributes will provide for the enjoyment of present and future generations. Define key views on the Planning Maps and in Appendix 9. <u>The plan identifies and protects view shafts and gateways through the use of character precincts or overlays to ensure that development protects these values through conditions on resource consent.</u>		
<u>New RE3.9</u>	<u>Insertion of Character Area Overlay</u> <u>Character Areas identify groupings of interrelated, but not necessarily contiguous items, places or features (including views) that collectively reflect neighbourhood character. Character Areas may include both contributing and non-contributing items, places or features.</u> <u>Explanation</u> <u>The values of Character Areas shall be maintained and enhanced, having regard:</u> i. <u>to the original pattern of development within the Character Area including the relationship of buildings to their site, to neighbouring sites, and to the street;</u> ii. <u>to the contribution existing buildings and fences make, to the Character Area as a whole; and</u> iii. <u>to the extent to which additions and alterations to existing buildings, or the construction of new buildings or fences, are consistent with the built characteristics of the Character Area.</u> <u>Method</u> <u>Overlays (such as Character Area) identify rules that require additional consideration of the surrounding environment. This ensures high quality living environment and residential amenity.</u> Note: Consequential amendments may include the insertion of a Guide on Subdivision and Development within a Character Area (see Rule RE3.1.v as an example).		
Residential Zone Rules Table			
For scope purposes, this submission opposes REr18A-18U; REr19A-19V in their entirety. The default zoning for all Medium Density and High Density should be General Residential. The below forms an example of alternative relief that ensures development within Medium Density and High-Density zones that is in exceedance of General Residential standards will be comprehensively assessed as a discretionary activity.			
Item	permitted	Controlled	Discretionary/NC/Prohibited
New Rule: Character Area Overlay within Medium Density or High-Density Residential zones.	<u>In a Character Area Overlay residential activity will be a permitted activity provided the following rules are complied:</u> i. <u>i. REr17D (Front yard)</u> ii. <u>REr17E (Other yards)</u>	<u>Not applicable</u>	<u>Development that exceeds these standards within a Character Area Overlay will be a discretionary activity.</u>

	iii. <u>REr.17I (Fences)</u> iv. <u>Rer.17J (Maximum Building Height)</u> v. <u>REr.17K (Daylight Admission)</u> vi. <u>REr.17L (Outlook and Privacy)</u>		
	Assessment criteria: a. <u>any special or unusual characteristics of the site or the proposal that are relevant to the infringement.</u> b. <u>whether the proposal would mitigate any adverse amenity effects on-site, to neighbouring sites and/or the street or public open space, through the use of building breaks, height variations, landscaping and architectural features.</u> i. <u>the site is of a sufficient size that infringing height elements can be placed centrally within a site away from neighbouring properties and/ or partially screened by other buildings proposed on site.</u> ii. <u>the site is located to the south of neighbouring properties or there are topographical changes that reduce the potential for additional shading.</u> iii. <u>the site is located on the corner of public open spaces (including streets) providing an opportunity to position increased height towards these spaces and away from neighbouring properties.</u> c. <u>whether the outdoor living space is conveniently located and is of a functional size, gradient and dimension for the intended number of residents.</u> d. <u>considering the context of the site, whether the outdoor living space is orientated to maximise views and outlook, in favour of sunlight access.</u> e. <u>whether the upper floor(s) of proposed buildings are set back from lower floors or utilise recessive building elements to reduce visual dominance.</u> f. <u>the extent to which direct overlooking of another residential unit's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.</u> g. <u>Protection of identified values of the Character Areas;</u> h. <u>Protection of views of critical importance.</u> i. <u>Development should be undertaken in accordance with any Character Area development guidelines.</u>		
Appendices			
New: Table 9.1: Viewscales	Insert new critical views to ensure protection of views from top of Cumberland Street, Ngati Tama and Ngati Awa streets toward City Centre/Port. Critical View should extend to Nelson Boys College grounds. Threats include Skyline, openness, retain views to sea; Heights of buildings in City Centre could restrict views to port.		

Appendix 8	Oppose removal of church hill view shaft
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Submission on Plan Change 29

Submitter :
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Telephone :
Email : david.ayre7@gmail.com
Signature : omitted; digital submission

Date : 31 Oct 2023

I could not obtain an advantage in trade competition through this submission
I wish to be heard in support of my submission, by myself
My submission relates to the entire plan change
I support the general intention to intensify housing in Nelson
I oppose many aspects of the way that intensification is being proposed

Summary

I support the general intention of Plan Change 29 to intensify Nelson. I strongly disagree with the way that PC29 has approached doing this, and as a result I wish to have PC29 rethought or heavily amended.

Intensification

The main target of PC29 is to plan for the population changes expected in Nelson over the next 30 years, and to achieve that by intensification rather than expanding at the edges. I agree that intensification is the better of these two alternatives, and support this objective. Until now Nelson has been a relatively low density city, and we now need to create more intense housing, fit for the 21st century and beyond, and stop spending our time and energy in expensive and unnecessary travel. This gives us an excellent opportunity to build a better Nelson for the 21st century and beyond, to bring our people together in strong and vibrant communities, and play our part in adapting to a more resilient future. Two very large parts of this future are providing good opportunities for active and public transport and dealing with climate change by making major reductions in our production of greenhouse gases. Since in Nelson at the moment about 75% of our greenhouse gases come from transport, all of these issues are tied together.

So, intensification, yes. How? That is a different matter.

How to Intensify

The purpose of the Resource Management Act is to promote the sustainable management of natural and physical resources. In the RMA 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 (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Rec: 31/10/23
Submission: S606
NDOCJ: 539570224-17939

Note; this is a physical
copy of the submission
& sent to the email
address at 1:40 pm this
afternoon, as a backup in
case the emailed version
does not arrive; the contents
are identical

David Ayre.

Many aspects of the way that PC29 approaches intensification are contrary to the purpose of the RMA, since PC29 proposes many changes in a way, or at a rate, which will cause harm to the ability of our people and communities to provide for their social, economic, and cultural well-being and for their health and safety. Most of this is because PC29 is trying to make sweeping broad-brush changes that will radically change the nature of the city, at speed, and doing it in a way that would leave the city in the hands of individual land owners and the developers working with them. This creates random threats from nearby development for people living here from now onwards, harming them, and the wider community.

To correct these aspects of PC29 as we work to make Nelson a better place in the future, there are many things in PC29 that need amending. The central one is a need for design-led change at the community level, one area at a time, led by an Urban Design Authority or similar body. This completely replaces the current proposal for broad brush rezoning into medium and high density intensification. Some of the thoughts and concerns below are areas that were discussed in PC29 and need to be changed. Others are areas that were discussed and need to be clearer. Others are areas that were not discussed at all and need to be added. The main changes, and the reasons why they are needed, are :

- 1) Process of change. The approach that Nelson City Council has taken to this plan has created a great deal of concern and resistance to change in the community, which has caused direct harm to the cultural well-being and health of many people. None of that was necessary. It has lowered trust in the Council and its planning process, which now needs to be rebuilt. The main cause of this was a misstep between the Future Development Strategy in 2022 under the previous Council and PC29 in 2023 under this Council. Many people who had made submissions to, or simply observed, the FDS in 2022 had the clear understanding that the FDS was a high level strategic process, and that when the next step of the planning process started at a more detailed level there would be another set of public discussion and consultation on how we create a good future for Nelson at the level of detailed community initiatives. Instead, PC29 left out all discussion about the nature of the Nelson we want to build in the future, and jumped directly to a very detailed RMA process that overwhelmed a great many people in the community. What they had been expecting, and wanted, was a discussion about vision. What they got was an RMA document with an immense set of rules saying what PC29 would not allow, and asking them if they wanted to change any. This was a complete disconnect, and needs correcting, either within PC29 or, if necessary, by starting again.
- 2) Future population projections. One of the major government framework documents controlling PC29 is the National Policy Statement on Urban Development (NPS-UD), which requires local authorities to plan for their expected future population over the next 30 years. In doing this, the local authorities can use population projections from Stats NZ, or, if they wish, an appropriate alternative source. Nelson chose to use data from an alternative source, whose population projections are significantly higher than Stats NZ, for both the FDS and now for PC29. The population projections used for PC29 are absolutely central to the detailed future plans for the city. Given this, they have not been subject to close examination and public discussion. They need to be. Instead they have simply been provided to the FDS and PC29 as received best estimates, without any significant discussion with the community about what they are based on. Given that our population in Aotearoa and in the world are both approaching break-even replacement in about the next 20 years, changes in our population in Nelson are based almost entirely on rates of net inwards migration to Aotearoa, and/or migration from other areas of the country. These things need to be a much more up front, visible, and transparent as part of the process, or dealing with unexpected changes will also cause harm in our community.
- 3) Response to population changes. Future population changes are uncertain. They may be less than projected, or more than projected, for many reasons. One of the main reasons why they could be more is because the slow rate at which we are currently responding to climate change is expected to cause global warming of at least 2.7°C relative to pre-industrial temperatures by the end of the century. This is much higher than the early 1.2°C global warming we have experienced so far, and is likely to cause high inward migration pressures from people in areas where local temperatures and/or water supply become unliveable. These issues of population movement are much wider than just our community in Nelson and need long discussions with central government. For all these reasons, it is very important to plan the future of Nelson in an adaptable way, by making progressive changes in different areas at

different times, rather than simply rezoning very large areas of the city as medium or high density, thereby committing a very wide scale new pattern of development when we don't know what the future holds.

- 4) Limits to population changes. PC29 has no significant discussion of the population limits of Nelson. There needs to be. If our population grows by 2% per year, Nelson will double in about 35 years, then double again in the next 35 years (to four times our population today), and so on from there, so even changes that sound small make an immense difference. Where we are going needs discussion in the community. There are physical limits to Nelson, land, transport corridors, water supply, etc, and these need to be allowed for. Large population changes should be handled by starting a new population centre from scratch that is designed and built for life in this century (e.g. to scale, better building design, low energy demand, active transport), and provides employment and services within its own community, rather than acting as a satellite to Nelson or other centres, with all the associated travel.
- 5) Starting intensification. We should start intensification with the redevelopment of the city centre at high density, with appropriate retail, office and living space in different storeys. Steps are needed to strongly encourage new and effective development, rather than the current low-rise pattern of building with low occupancy. All of this needs to take account of likely sea level rise and river flooding during the expected lifetime of the buildings as a result of climate change.
- 6) Wider intensification. As the city centre is being intensified, intensification should widen to Stoke and then other areas of the city, step by step. As each area of intensification is planned, the levels of intensification should be clearly established to meet the needs at that time, in conjunction with the residents of that area, and any particular needs such as heritage areas. In all cases existing buildings and daylight angles should be protected at their current levels, unless changes are accepted by the residents concerned.
- 7) Intensification should include rezoning all irrelevant use of space (e.g. car yards, defence forces) out of the city centre to other locations.
- 8) Intensification should include and encourage small scale infill developments, because these can provide very diverse and adaptable changes very quickly.
- 9) Intensification should include detailed consideration of land stability using both local knowledge and engineering reports to establish clear boundaries on land development, and the steps needed to keep people and properties safe under more intense development. This should include giving close attention to the intended lifetime of the buildings, and any predictable threats from climate change in that time.
- 10) Tree cover. As we encounter global warming at much higher levels, it will be even more important than it is now to have very significant tree cover to cool the areas concerned and the wider city. This tree cover should be in all public areas, including all roads, parks, and green belts. It needs to be explicitly identified and allowed for in all future plans.
- 11) Solar power. New buildings and significant changes to existing buildings need to provide good facilities for the use of solar power.
- 12) Electric vehicle charging. New buildings and significant changes to existing buildings need to provide good facilities for the use of e-bike and EV recharging.
- 13) Public transport. Nelson has an excellent eBus service. This needs to be gradually extended to cover other areas of the city as needed. One key part of this is that routes need to be identified as stable and committed, so that urban design changes can work on the basis that good public transport will be available in those locations in much the same form well into the future. Good public transport is a form of infrastructure, and many other things in the city need to be able to plan around it.
- 14) Major infrastructure. Facilities that are central to the community should be identified for separate discussion in more detail. The most obvious single examples are Nelson Airport and Nelson Hospital,

but there are others. In particular, we need to discuss where we are going to put Nelson Airport in the future. A large amount of sea level rise is now inevitable as a result of greenhouse gas emissions we have already created, and we are continuing to create more. As a result, we will either need to protect the existing Nelson Airport site strongly in the future, or we'll need to move the airport. That will have major implications for suitable land in the region, both for the airport itself, and for related land use and services. That should be considered in detail now, so that move is possible if/when necessary.

- 15) Long term empty properties. These should be occupied, using any means available to stop them lying empty.
- 16) New development. All new development, wherever it is, should be created at appropriate intensification levels from the beginning, identified by a clear urban plan for new developments, rather than being created as low density development and then in a few decades trying to rework it at higher densities.



David Ayre
Nelson
31 October 2023

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)

*Required

Submitter Details

Full Name*	Belinda Jane Fletcher		
Organisation	Self		
Contact Person	Belinda Fletcher		
Postal address*			
Telephone*		Email*	belinda.fletcher@lawyer.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.
- ☐ 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)

Date*

29/10/23



Nelson City Council
Te Kaunihera o Whakatū

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
- ☒ Residential
- ☒ Inner City and City Fringe
- ☐ Industrial
- ☐ Suburban Commercial
- ☒ Natural Hazards/Climate Change
- ☒ Heritage

- ☐ Papakāinga
- ☒ Transport
- ☐ Mapping
- ☒ Infrastructure
- ☐ Area outside of Plan Change
- ☐ Subdivision
- ☐ 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)

please see attached
Submissions. 1-4

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 pages 1-4

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.

Plan Change 29 – Submissions 1- 4 - made by Belinda Jane Fletcher

My submission is:

1.The specific provision – **Residential Zone – All and in particular High Density Residential Zone (“HDRZ”) classification**

1.2 Support or oppose or wish to have them amended – **oppose**

1.3. **Reasons for my view -**

1.3.1. New Zones especially HDRZ is not suitable or necessary. To allow HDRZ in a residential zone will have detrimental affect on those areas in that:

1.3.2. It will cause those areas particularly where there are older homes to lose their specific street character and landscape causing breakup of those areas by bulk buildings in those areas. The character and landscape need to be preserved in those areas.

1.3.3. That allowing HRDZ will detract from light and light available in those areas and will remove portions of the existing daylight admission control planes). I would ask that these remain as at prior to public notification of plan 29.

1.3.4. The HDRZ will increase population into a relatively small area and will put significant pressure on infrastructure and resources in those areas.

1.3.5 There is no requirement for any landscaping of buildings to the street. There is reliance on already existing landscape such as parks and greenspaces such as the church hill to provide landscape to these buildings and those resources are not limitless in their capacity to absorb the pressure of these buildings and population. These buildings need to contribute to the landscape community environment visible to all not just within their own buildings (internal court yards only provide amenity for those in the building)

1.3.6 This new zone does not guarantee a vibrant city centre and neighbourhood so can be no justification for the zoning. Indeed, in cities like Wellington and Auckland HDRZ have resulted in less vibrant/ loss of neighbourhoods/ unsafe neighbourhoods and increased crime in the inner city. In many cities increased apartments have led to absentee landlords and Airbnb's not creation of neighbourhoods.

1.3.7 It is inappropriate for the council to classify an area HDRZ based on closeness / walk-in distance to the inner city. This may be one reason but it needs to be assessed against all of the negative effects of this zone.

1.3.8 The HDRZ will have a negative effect on and unduly compromise privacy and amenity of existing residences in the areas sought to have it imposed upon that have mainly low level one and two storey homes on. There is insufficient space between buildings and so-called protection of front forward building bulk will not protect adjoining smaller sections.

1.3.9 The existing residential zones allow sufficient flexibility for building of multi-level buildings – notification is needed and consent needed to ensure control over such buildings. That a number of such buildings have already been undertaken in Nelson or have been consented indicates that HDRZ is not necessary.

1.3.10 Too much pressure is being placed by HDRZ on a small area of Nelson. This is perhaps due to other areas of development begin excluded by reactions by the council to climate change meaning it no longer seeks to allow development in other areas but that may change as new technologies allow development in those area.

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1.

1.3.11 I am particularly concerned about the imposition of HDRZ on the area of Nile Street Nelson where I live (south side Nile Street on East Nile Street). Under the new zoning our area and buildings would be affected as I have set out above. I consider that the existing higher buildings on the north side of Nile Street (e.g., Bett Building/ Pitt and Moore building) are where the medium density should start rising toward the inner city /CBD and this would provide a sensible boundary and space for increased heights of buildings, differing styles and use.

1.4. I seek the following decision from the council:

No new residential zones. The existing residential classifications to remain.

No HDRZ in residential areas.

Particularly no HDRZ for south side east Nile Street and surrounding residential areas.

Amend plan 29 to allow graduated increased height in the inner city /CBD – a gentle merging of inner city / CBD with residential. Generally, this graduated approach to be followed in all CBD /town areas merging with residential areas. So, start with medium density outside of residential zones and increase to Higher density no more than 8 stores in CBD.

Specifically In relation to Nile Street this would remain existing residential or general residential and start from Nile Street North side on East Nile Street – so from the Bett building moving toward the inner city /CBD.

2.1. The specific provision – Heritage

2.2. Support or oppose or wish to have them amended – **oppose in part**

2.3. Reasons for my view:

2.3.1. I oppose the changes to heritage classifications as they do not give enough emphasis include areas of character and street scrapes and landscapes.

2.3.2. I do not oppose the creation of Richmond Avenue as a heritage area. However, I note that its qualification based on NCC assessments is borderline for inclusion which indicates that a wider view of heritage needs to be taken.

2.2.4. The inclusion of Richmond Avenue as heritage precinct should not be in substitution or as some sort of community consolation for removal / downgrading of existing heritage buildings / areas. We should be trying to keep up our heritage areas.

2.2.5. NZ needs to maintain its built heritage for future generations so they can learn from and enjoy these amenities. So much of Nelsons built heritage has already been lost and consequently loss of amenity and attraction and has not been replaced.

2.4. I seek the following decision from the council:

That the exiting heritage classifications are retained with addition of special character street scrapes and landscapes

n

3.1. The specific provision – Inner city centre and fringe.

3.2. Support or oppose or wish to have them amended – oppose in part

3.3. Reasons for my view –

3.3.1. I oppose the removal of Church Hill view shaft. It is integral to the character and nature of Nelson. It is the vital connection to the land and sea and provides an important pivot for the city. It provides a special vista intrinsic to Nelson. It must be preserved.

3.3.2 The trees do not obstruct the view shaft they complement it and bring a new positive dimension to the view shaft. In winter when the leaves are off the trees there is a good view down the shaft and in summer there is the benefit of the trees and the allure of landscape beyond.

3.3.3. It is the right of all Nelsonians to have the view shaft and enjoy it. It needs to be preserved for future generations

3.3.4. the view shaft outlook is an attraction for tourists and should be highlighted and celebrated.

3.3.4. Blanket height levels in the fringe and inner-city centre are unattractive and do not create a vibrant liveable city. The highest parts of the Rutherford hotel and clock tower detract from the cityscape and do not integrate into the surrounding cityscape and are eyesores. A more subtle and graduated approach to building/ development is needed.

3.3.5. Random development of levels of buildings and building closer into the streets will not provide a more vibrant or safer city.

3.3.6. The city infrastructure cannot cope with buildings over 8 storeys due to limited firefighting options, and pressure on water, power and other infrastructure such as internet connection.

3.3.7. The inner city and centre need to ensure increased green spaces and landscaping of these areas with new development. There should not be reliance on existing green areas and landscaping. The city needs more of these areas not less or defused by more building to green space proportion.

3.4. I seek the following decision from the council:

Retain View shaft - no changes.

Amend plan 29 to allow graduated increased height in the inner city – centre zone – a gentle merging of inner city / CBD with residential. Generally, this graduated approach to be followed in all CBD /town areas merging with residential areas. So, start with medium density at the inner-city fringe and increase to no more than 8 storeys inner city centre.

Specific provision for greater green areas and landscaping. No reliance on existing green spaces or landscaping.

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3.

4.1. The specific provision – Transport

4.2. Support or oppose or wish to have them amended – oppose

4.3. Reasons for my view -

4.3.1. Reduction of through traffic in the inner-city fringe and centre areas to larger motor vehicles such as cars will cause less through traffic and ability access the inner city and is nto workable for business or people using the inner city.

4.3.2. Restrictions on the use of motor vehicles, through traffic and parking will put pressure on surrounding residential areas.

4.3.3. Any new buildings should have to provide car parking as the pressure on parking particularly for inner city residents is already considerable.

4.3.4. If the council wants people to live in the inner city and for it to be safe then there needs to be adequate parking and residential parking .

4.3.5. For the foreseeable future cars and other larger motorised vehicles are likely to continue to be used .

4.3.6. Apartment buildings particularly need to provide parking on site as they bring increased population pressure into an area.

4.3.7. Adequate parking brings safety to an area and its residents and those using it. If viable options of public transport are provided that will in itself offset use of private vehicles.

4.4. I seek the following decision from the council:

That new buildings including all apartment buildings have to provide parking including for cars for one park per apartment or other dwelling type.

Retaining good through access and parking in the city for all vehicles types.

I wish to be heard in support of my submission.

.....

Belinda Jane Fletcher

Signature of submitter

29/10/2023

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4

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S608
Submitter Name	Nelsust Inc.Peter Olorenshaw
Submitter Company/Group Name	Nelsust Inc.
Submitter first name	Peter
Submitter middle name	John
Submitter surname	Olorenshaw
Submitter is contact	Yes
Email	petero@inspire.net.nz
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
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Inner City and City Fringe Zones	Inner City Zone	Amend	We already have 44% of the area inside the centreline of or ring roads taken up by cars, car dealers, car parking and fossil fuel selling. We believe the city should be a people dominated place, not a motor vehicle dominated one. We have measured that 37,690m² of city centre and city centre fringe land is taken up by just car yards and servicing buildings. Betts 4 storey apartments on the corner of Nile and Trafalgar square is 292m² for 17 apartments. This means the land taken up by car yards is nearly 5000 apartments worth, at the Betts rates. Some of this land could of course be used for retail, entertainment and hospitality uses, but there is already other land for this as well as the land the fossil fuel stations are on. We note here that having retail destinations all in close proximity increases the feeling of urbanity. Having almost half of the city taken up with car dealers, roads and parking, disperses the good bits of being in a city, making the city experience more diffuse. We suggest a graduated timeline of 5 years for car yards and petrol stations to move out of the CBD. Perhaps their rates could double every year as an incentive to move early rather than later	Make motor vehicles sales, motor vehicle repair and servicing and fossil fuel selling be made an industrial activity, rather than one that is allowed in the inner city zone.
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Inner City and City Fringe Zones	City Fringe Zone	Amend	We already have 44% of the area inside the centreline of or ring roads taken up by cars, car dealers, car parking and fossil fuel selling. We believe the city should be a people dominated place, not a motor vehicle dominated one. We have measured that 37,690m² of city centre and city centre fringe land is taken up by just car yards and servicing buildings. Betts 4 storey apartments on the corner of Nile and Trafalgar square is 292m² for 17 apartments. This means the land taken up by car yards is nearly 5000 apartments worth, at the Betts rates. Some of this land could of course be used for retail, entertainment and hospitality uses, but there is already other land for this as well as the land the fossil fuel stations are on. We note here that having retail destinations all in close proximity increases the feeling of urbanity. Having almost half of the city taken up with car dealers, roads and parking, disperses the good bits of being in a city, making the city experience more diffuse. We suggest a graduated timeline of 5 years for car yards and petrol stations to move out of the CBD. Perhaps their rates could double every year as an incentive to move early rather than later	That motor vehicle sales, motor vehicle repairs and maintenance and fossil fuel selling be made an industrial activity, and not be allowed in this zone
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Natural Hazards/Climate Change	General natural hazards/Climate change	Amend	We already have 44% of the area inside the centreline of or ring roads taken up by cars, car dealers, car parking and fossil fuel selling. We believe the city should be a people dominated place, not a motor vehicle dominated one. We have measured that 37,690m² of city centre and city centre fringe land is taken up by just car yards and servicing buildings. Betts 4 storey apartments on the corner of Nile and Trafalgar square is 292m² for 17 apartments. This means the land taken up by car yards is nearly 5000 apartments worth, at the Betts rates. Some of this land could of course be used for retail, entertainment and hospitality uses, but there is already other land for this as well as the land the fossil fuel stations are on. We note here that having retail destinations all in close proximity increases the feeling of urbanity. Having almost half of the city taken up with car dealers, roads and parking, disperses the good bits of being in a city, making the city experience more diffuse. We suggest a graduated timeline of 5 years for car yards and petrol stations to move out of the CBD. Perhaps their rates could double every year as an incentive to move early rather than later	That additional dwellings be allowed on Flood and Liquefaction prone land as long as they are simple relocatable Tiny houses, either on trailers or on the back of an ordinary truck. And that 3 dwellings as of right be allowed on this land as long as any new ones are tiny or relocatable as defined above.
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Residential Zones	Other	Amend	As we densify our urban areas, large trees are no longer appropriate on our sections. Shrubs and small trees yes, but we must move to the situation of having our large trees in parks but also on every street. While we recognise challenges with having trees in paved areas, they are not insurmountable with permeable paving and careful species selection. Trees of course bring multiple benefits - to our mental health, as birdlife corridors, as carbon sinks and as a means of cooling the ground: It has been found in European heat waves that streets with trees on them were some 5° cooler than those without trees and that resulted in markedly fewer heat-stress health issues for people living in those streets. Having trees on streets is a paradoxical traffic safety measure: Whilst it is safest if a car can't crash into a rigid object like a tree, the very fact that trees line a street means the speed we will subconsciously drive at will be lower and so the resulting street is safer. Stockholm tree pits are a method of allowing trees to grow under paving in "structural soils". We ask for deciduous trees in every street, but starting in the streets that are to be the highest density	Deciduous trees be required on every residential street
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Residential Zones	Other	Support in part	The proposal to allow 3 dwellings as of right without a resource consent is crucial and was completely overlooked in the Future Development Strategy as a means of increasing density. We think this is the nearest thing to a silver bullet we have for allowing increased density with no additional load on infrastructure*, minimal resources required and at very low cost. The FDS assumed that only those sections large enough to accommodate another dwelling were those where you could build a "granny flat" (sometimes called an accessory dwelling) adjacent to the existing house. So it came up with very low numbers possible from this form of intensification. But it completely ignored the potential for "partitioning" existing houses into two. We think that any existing house could be partitioned into two with minimal extensions into side and back yards and so the potential numbers possible with this form of intensification are huge. If realistic partitioning numbers were included in figures then we do not need to rely on such high multi-storey buildings to get the additional dwellings that population growth projections suggest are necessary. Currently partitioning like this is quite expensive, requiring a burdensome and costly Resource Consent and significant Development Contributions to council. But if you are partitioning a large 3 or 4 bedroomed house (of which we have a surplus) into two, 1 or 2 bedroomed houses (of which we have a deficit) what is the difference in infrastructure? A family of 5 would have a similar burden on the 3 waters and roading as two couples of 2 surely? The roads are already there, the water supply, sewerage and stormwater is already there and the loads are little changed, so DCs should not be charged. Two Nelsust members did a worked example (see appendix) of how this could be done for less than \$120k in 2020. This is affordable housing and furthermore is low carbon creation of a new dwelling (as its largely reusing underutilised existing building fabric.)	3 Dwellings per Title as of right on all residential sections, but with no development contributions payable where the 3 waters infrastructure load is not significantly changed.
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A note on increasing infrastructure loads from intensification: The council can have a fair handle on what the loads from the 3 waters would be from their existing monitoring of water supply to houses. If the water supply to an intensified development is no more than the previous one house (or at least an average single house) then as discussed above, why should a DC be payable? - after all water coming into the property as potable water is directly correlated to volume out in sewerage that the pipes have to take. And there are numerous things that can be done with new low water use fittings that mean you can actually service more people with no more water supply or sewage volume (eg you can get 3 & 4.5 litre dual flush toilets that are a replacement to the old 12 litre ones these older houses had, you can get aerating taps that mean you use less water for hand washing and rinsing dishes, you can get front loading washing machines that use perhaps half the water a top loader does). And all this is assuming no grey water is re-used in toilets and no rainwater collected! With stormwater pipe work - the council could insist on stormwater detention tanks to buffer stormwater loads so that any increase in roof area resulted in no increase in stormwater load. And there are a variety of permeable paving solutions now available that result in no additional stormwater load over open ground would have had.

Residential Zones	High Density Residential Zone	Amend	The height proposals are surprisingly high, one of the 2 most contentious things in the proposed changes. We think they are unnecessarily high in allowing 6 storeys as of right in high density areas and 4 storeys in medium density areas. While this height might be something we head to in the future, it is a significant shock to a provincial city like Nelson where most houses are only single storey, only a few 2 storey. We ask you to change this to 3 storeys as of right (11m) (with other changes to recession planes - see below) in the high density areas and 2 storeys in the medium (8m). To go higher you should have to apply for a resource consent where things like neighbourhood effects can be taken into account.	Reductions to Maximum heights without a resource consent to 3 stories as of right in High Density Residential Areas (11m high) and two stories in other residential zones (8m high)
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Residential Zones	Other	Amend	The height proposals are surprisingly high, one of the 2 most contentious things in the proposed changes. We think they are unnecessarily high in allowing 6 storeys as of right in high density areas and 4 storeys in medium density areas. While this height might be something we head to in the future, it is a significant shock to a provincial city like Nelson where most houses are only single storey, only a few 2 storey. We ask you to change this to 3 storeys as of right (11m) (with other changes to recession planes - see below) in the high density areas and 2 storeys in the medium (8m). To go higher you should have to apply for a resource consent where things like neighbourhood effects can be taken into account	Change to 2 stories (8m) as of right in the medium (and lower density areas)
Residential Zones	General Residential Zone	Support	People are comfortable with 2 stories as of right and 8m is only 500mm higher than the 7.5m max height we presently have.	Keep 2 stories (8m) max. height

Residential
Zones

Other

Amend

This is the second most contentious thing in the proposed plan change. Nelson is unusual in having recession planes that vary depending on the direction the boundary faces so that winter sunlight, not just daylight, is allowed into your neighbours property - with the existing plan. Here and Nelson (and Richmond) the recession plane for a Southern boundary is a quite low 25° taken from 2.5m above ground level. Other boundaries have steeper angles (35° for East and West boundaries and 45° for Northern boundaries. This is proposed to be radically changed - even in ordinary residential areas. Initially our convenor thought yes this is something we have to change - he has been a solar architect all his working life but suggests we now know how to build houses that need virtually no heating, without relying on winter sun. However this is no relief to someone in an old draughty bungalow. These old houses are literally impossible to insulate or draft proof as efficiently as a new house and many of them rely on winter sun coming over their neighbours' properties to keep them remotely liveable without large external heat inputs. The existing daylight over provisions actually allow quite a lot more development on existing sites than is often supposed. Please see appendix where 4 dwellings can be built under existing daylight over rules using the comprehensive development rules and with just a tweak to site coverage rules. The PC29 proposals are to replace these low and site orientation nuanced recession planes with much higher and non variable recession planes (3m up and 45° General Residential Zone (GRZ), 4m and 60° Medium RZ and 12m and 60° in High Density RZ).

We ask that you change the recession planes in Plan Change 29 to keep the current daylight over regulations for "Southern" Boundaries but we allow building up to "Northern" boundaries - 2 stories high and with 45° recession plane above that (to be more precise: 5m up and 45° in above that in all 3 new residential zones and Southern and Northern mean true North or South +- 45°) AND the additional rule that once someone has built up 2 stores high to your "Southern" boundary - you can build 2 stories high up to that boundary too

Most problematic, there is nothing in the proposals that deals with the issue of TRANSITIONING to a townhouse type in our higher density areas. How do we deal with the situation of a cold draughty bungalow to the south of a new high rise apartment building? Here we offer a solution to this transitioning to a townhouse typology. We ask that you change the recession planes in Plan Change 29 to keep the current daylight over regulations for "Southern" Boundaries but we allow building up to "Northern" boundaries - 2 stories high and with 45° recession plane above that (to be more precise: 5m up and 45° in above that in all 3 new residential zones). (Note this is not proposed to be allowed in any zone under the current PC29 proposals.) So although this would restrict the amount of DAYlight into your neighbour's south side windows, it would not restrict SUNlight. AND the additional rule that once someone has built up 2 stores high to your "Southern" boundary - you can build 2 stories high up to that boundary too. This would allow townhouses to happen like dominoes along the street or at least provides a mechanism for transitioning to townhouses with side walls touching. (When you have side walls touching there is zero heat loss from your side walls - so although you might get limited amounts of winter sun into houses on East-West orientated sections, you will have zero heat loss from 2 of the 6 sides of a cube (ideal house) that you would otherwise have with houses not adjoining).

Residential
Zones

Other

Amend

We find it curious the proposals no longer allow people to build up to the boundaries (as of right) in the medium and high density areas. This leads to townhouses not having side walls touching, even in the highest density residential areas and we think this is wrong. Currently you can do this in all residential zones as long as you fit under the recession planes. This is really something we should hold on to and actually build on to. We request that the current ability to build right up to the side boundaries be retained in all zones and extended as noted above so that in at least the medium and high density zones, you can build 2 storeys high up to your "Northern" boundary as of right, and once your Southern neighbour has done that, you can build 2 storeys high up to that boundary too.

We request that the current ability to build right up to the side boundaries be retained in all zones and extended as noted above so that in at least the medium and high density zones, you can build 2 storeys high up to your "Northern" boundary as of right, and once your Southern neighbour has done that, you can build 2 storeys high up to that boundary too.

Residential
Zones

Other

Amend

A significant finding of the 2008? NUGS report (Nelson Urban Growth Strategy) was to "Grow In" rather than "Grow Out". This has been misinterpreted as "Growing Up" rather than "Growing Out", but it is not the same thing and this is where we think the present plan change proposals have seriously missed what people are presently comfortable with. So along with the proposals to go too high as of right, are the proposals to have site coverages too low - Currently ranging from a low of 30% to a high of 40% and proposed only to go up to 50% in even the highest density areas. We request building coverage should be 55% in all zones - this is still allowing more than a 45% of the land to be used for vegetation, for growing some plucking greens some herbs, some fruits trees perhaps espaliered along boundaries. And in allowing more building coverage, we request periable landscaping areas to be increased (see separate item)

We request building coverage should be 55% in all residential zones

Residential Zones	Other	Amend	Partly in response to our request in increase allowable building coverage to 55%, we asked for the % of permeable be increased. This will mean the building plus impermeable paving would be the same as the PC29 current proposals. We note permeable landscaping is easier to do now with permeable paving that looks superficially no different to regular hard paving as well as paving such as open concrete blocks with grass growing through it.	We request permeable landscape areas be increased to 25% in all zones
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Residential
Zones

Other

Amend

part of higher density living is the provision of parks, reserves or open space close by every house. If they are spaced no further apart than 1/2km, then no one has to go further than 250m to get to one. Even if these are just a regular sized suburban section where the house is moved away and it is planted up with large and small trees, quite a bit of grass, perhaps some play equipment for children a seat to rest on and ideally toilets as well - for particular children and the elderly who may get caught short. We note that the often voiced opinion that children need a 1/4 acre to kick a ball and run around on is wrong in that often there were windows to be smashed and flower beds to be trampled on that severely curtailed this from being a real thing. We think have close by reserves where this can really happen is a better option.

**Request inclusion of
Reserves every 1/2km**

Residential
Zones

Other

Oppose

We do not think building work adjacent to state highways should have lower noise isolation standards than local arterial roads of a similar speed.

2. We think it should be up to the Ministry of Transport to regulate noise emanating from motor vehicles. Noise could and should be tested at Warrant of Fitness time to be at low levels, including when the vehicle is revved.

3. We think Waka Kotahi should be tasked with installing low noise asphalt on roads near dwellings, rather than people having to isolate/insulate themselves from tyre roar. WK should be charging costs to people making the noise to mitigate it.

4. While the noise from vehicles at speed is dominated by tyre roar and so Electric Vehicles are not significantly quieter than Internal Combustion Engined Vehicles at a constant higher speed, EVs are significantly quieter when under acceleration and deceleration than ICE vehicles. So as the fleet changes over to EVs, noise from acceleration and deceleration will naturally decrease. We note here that electric trucks won't have to use noisy exhaust braking to slow down: the natural regenerative braking is very powerful and almost soundless.

So in conclusion we don't think there is a case for insisting all new building work is soundproofed from other people's noise. We suggest there are ways of stopping the noise at source by regulating exhaust noise from existing ICE vehicles; by using low noise road surfaces paid for by those making the noise; and that the move to EVs will reduce the noise from acceleration and deceleration in proportion to their fleet makeup.

**State Highway Noise
Insulation Requirements
rejected**

Residential Zones	Other	Amend	Currently we assume we need very wide cycle lanes and very wide walking paths and so these can rarely be accommodated within existing footpaths, we think this is wrong. Overseas experience shows us how much narrower paths can be completely usable as long as they alongside each other: With the foot and cycle paths being adjacent a person on a bike can temporarily use the walking path to overtake another person on a bike, provided the way is clear, likewise with people walking, they can walk around people stopped to chat by using the cycle path if that is clear. Other things not readily apparent in this photo that we ask NCC to emulate is that the grass (and trees) are on the street side meaning the transition from street level to cycle/footpath level is taken up by grass areas, not on walking or cycle paths. It also means that a passenger side parked car door opening is not going to present a hazard to someone biking past. The services here are under the pavers that can be taken up to change services and invisibly put back once changes to services are made. Likewise these pavers can be revelled if they ever come out of level. Lastly the paving treatment is consistent throughout the town - if you are on the pavers - you aren't on a cycle path. Although pavers like this are not cheap they are very long lasting without maintenance. They don't look tacky or rapidly become indistinct or tired looking like painted demarcations do. And with services changes not resulting in a patchwork quilt of asphalt repairs, the paths maintain a high quality in both appearance and function. To be clear we do not support shared paths on commuter routes, but these are not shared paths - they are clearly demarcated cycle and walking paths and virtually every footpath in the city could have them.	Request Change to Land Development Manual to be included to allow much narrower cycle paths to be included alongside but clearly distinct from cycle paths up on existing footpaths in all residential areas - see in our submission emailed to council a photo from Munich showing much narrower cycle paths than currently considered suitable - here only perhaps 750mm wide, and walking paths narrower than currently acceptable - here only perhaps 1m wide. We ask for cycle paths 750 wide alongside
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Transport	Transport objectives and policies	Support	Proximity as a transport solution is critical in this climate emergency. 93% of our emissions at a household level are from transport. Everything else we do at a household level to mitigate against climate change is just noise compared to transport. And Statistics NZ say that this region's emissions are the worst in the country, double what Marlborough's are. These measures (and other suggested in our submission) will help reduce our transport emissions, will help make the 40%+ reduction in vehicle km travelled essential to our climate change commitments	Support for Appendix 3F of S32 Report - NCC Transport - In particular: 1. Carpark Charger enabled - Support for recommendation 8.3: new rule where on site car parks are provided, each residential unit should have access to at least one car park that has either a charger or the infrastructure such as ducting and switchboard capacity to support charging equipment 2. Good Cycle Network connections should need to be shown in new subdivision plans, including protected cycle paths where the speed limit may be or become faster than 30kph. 3. Cycle parking to be provided - Support for recommendation 9.3: Require mandatory provision of cycle parking on site using a table that prescribes minimum numbers of cycle parking based on the type and size of activities. Include residential and non residential activities. The recommended numbers should align with other district plan requirements. Cycle parking should not be required for residential units that have a dedicated garage or covered carpark. 4. Change ICr31.3 to specify maximum not minimum car parking numbers.
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SUBMISSION to the Nelson City Council

Plan Change 29

From:

The Nelson Transport Strategy Group, (NELSUST) Inc.

www.nelsust.co.nz

Peter Olorenshaw Convenor

email: petero@inspire.net.nz

PUBLIC INFORMATION STATEMENT:

We are happy that our submission is included in reports available to the public.

INFORMATION ABOUT NELSUST:

We are an incorporated society of 300 people who have wider sustainability interests as well as transport strategy. This submission is the result of committee consultation.

1. INTRODUCTION

1.1 Agree with the intent - we agree with the intent of the plan change but feel the proposed heights and relationship to boundaries are inappropriate for a provincial city like Nelson with predominantly single storey houses reliant on winter sun for warmth. We were surprised by the lack of reasons given as to why increasing density is so much more preferable to sprawl. Proximity as a transport solution is critical in this climate emergency. 93% of our emissions at a household level are from transport. Everything else we do at a household level to mitigate against climate change is just noise compared to transport. And Statistics NZ say that this region's emissions are the worst in the country, double what Marlborough's are.

Household emissions by region

Just over 90 percent of total household emissions come from transport. Heating and cooling contribute 7.0 percent, and 'other' (household emissions from, for example, inhalers, septic tanks, etc) contributes 2.8 percent to total household emissions.

The largest changes in regional household emissions in 2019 compared with 2018 were:

- Waikato, up 65 kilotonnes (6.0 percent)
- Canterbury, down 47 kilotonnes (4.1 percent)
- Auckland, down 43 kilotonnes (1.3 percent).

The Auckland region is home to 34 percent of the population, who emitted 3,311 kilotonnes (34 percent) of New Zealand's household emissions in 2019. This was 1.3 percent down on the previous year.

Auckland households emitted 2.0 tonnes of carbon dioxide equivalents (CO₂-e) per capita, equalling the national household emissions per capita average. From 2007–2019, Auckland's household emissions increased 16 percent, slower than its population growth of 21 percent.

Households in the Tasman region emitted the most per capita, at 2.9 tonnes of CO₂-e per capita. Households in the Waikato region were the second largest emitters, at 2.4 tonnes of CO₂-e per capita. Households in the Marlborough region emitted the least at 1.6 tonnes of CO₂-e per capita.

The changes in household emissions were largely driven by transport emissions, which accounted for just over 90 percent of total household emissions for all regions in 2019. Nationally, household transport emissions declined slightly in 2019. The Auckland regional fuel tax, regional fuel price variation, and changes in household behaviour may have affected household transport emissions.

1.2 Support Plan Change IN PART. We support parts of the plan change but ask for significant changes noted below

1.3 Reasons for our support for parts of it and opposition to others is given below.

1.4 Decision we wish council to make: is to not reject the plan change but modify it in line with what we suggest below

1.5 We Wish to Speak in support of our submission

1.6 We do Not Stand to Gain any advantage in trade competition through this submission

PTO

2. OUR SUBMISSION

2.1 Transport reasons for Densification :

2.1.1 Public Transport Functions Better with a compact urban form. A sprawling low density settlement pattern such as we have been following since the 1950s can only very expensively be provided with a public transport service and then it will not be very frequent and so will not be more attractive than car driving. But with more dense settlements buses become more viable. This has a snowballing effect: because more people use the buses the service can be expanded and made more frequent, which makes them more attractive for more people. And with more people using the buses they can be expanded and made more frequent, which makes them more attractive for more people.... And this means there are fewer cars on the road which makes it more attractive to live in the city and so more people want to live there rather than a far flung dormitory suburb. The national target in the Emissions Reduction Plan is a reduction in light vehicle km travelled by 41%: a compact urban form is an essential part of this reduction.

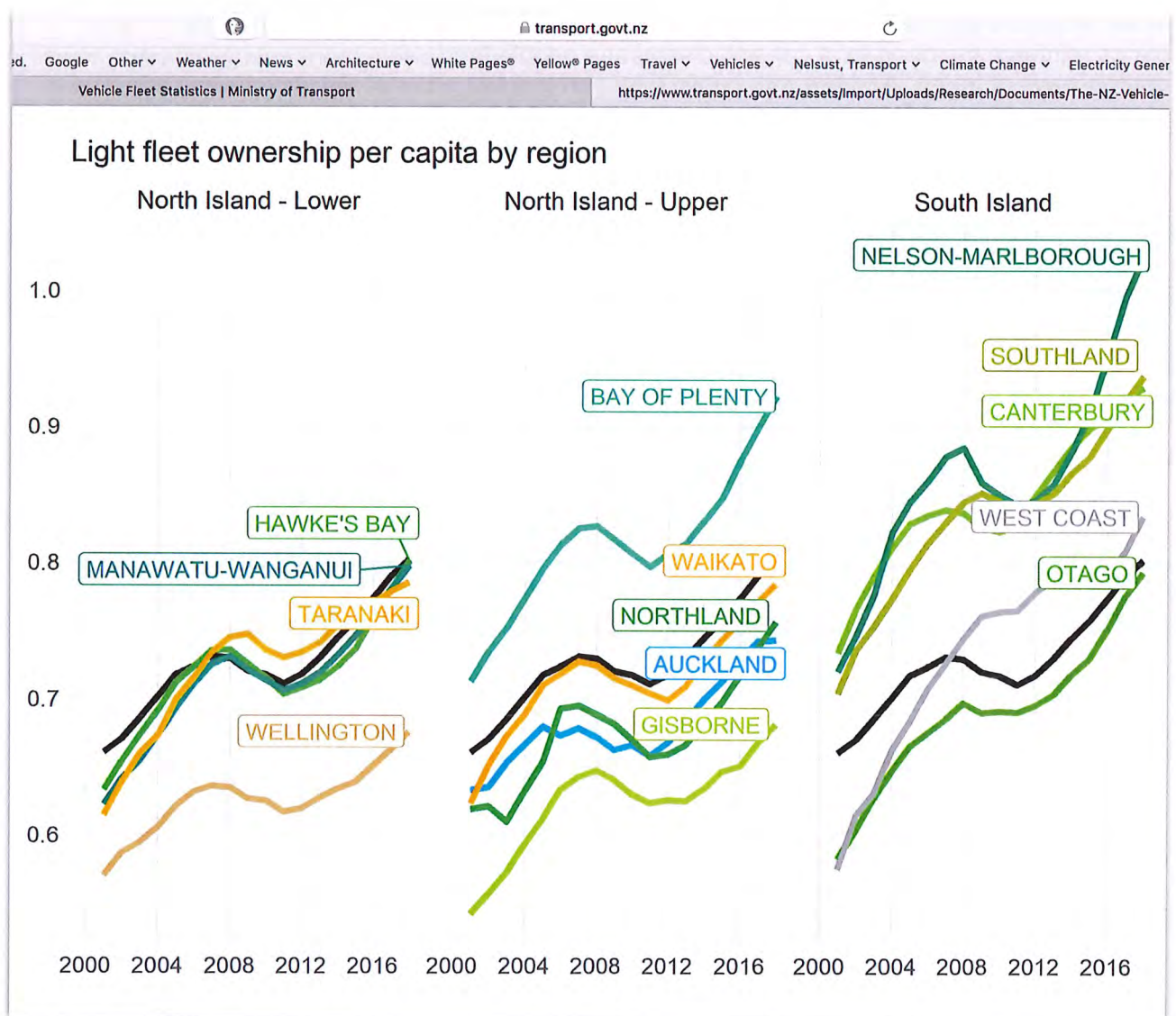
2.1.2 Active Transport is More Viable with a compact urban form as distances to where people need to get to are shorter. Only the committed are going to walk 5km to the places they work, shop and play, only the committed will bike more than 10km even on an e-bike. These things reinforce the need for a car and discourage people from using more energy efficient, lower carbon ways of travel. And like with public transport this has a beneficial snowballing effect: with more people biking, biking becomes safer and less of a fringe thing to do. As more people bike, more will be encouraged to to cycle, and so on in a self reinforcing cycle.



Munich cycle and foot path

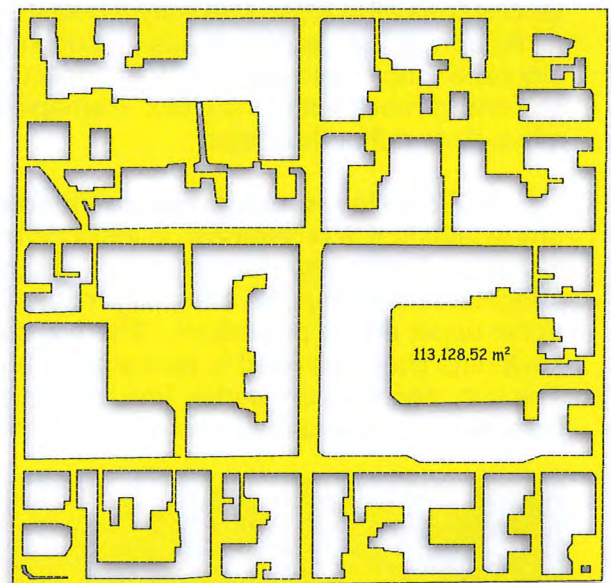
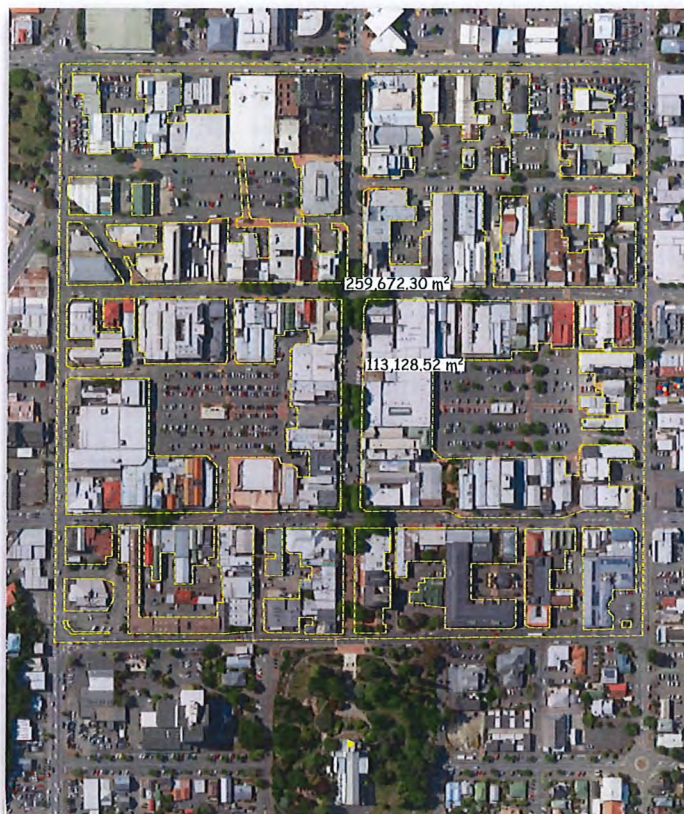
2.1.3 Car Commuting is Very Energy Intensive Even if people are commuting in an Electric Vehicle (EV), with very low carbon CO2 emissions, a 2 tonne car is still a very energy intensive way of transporting 1 or 2 people around, compared to using a bus or bike or walking. And the further people drive the more energy is required. All energy generation comes at a carbon cost to build and maintain the infrastructure. Furthermore with denser settlement patterns often only one vehicle per household is needed and that is a significant carbon saving in not having to make, import, charge and provide roadsapce for that additional vehicle.

2.1.4 Road Congestion because of Mandated Sprawl. The congestion experienced now on our arterials is primarily due to a failure of Nelson City Council to allow people to live where they wanted - ie in town. While some people do wish to live in "lifestyle blocks" in the country, a lot of people have been forced to live out of town because there were no densification options available, or at least easily available. Currently NZ has pretty much the highest rate of car ownership in the world at almost 860 cars per 1000 people, but our region has the highest car ownership in the country at more than 1 for every child, woman and man. We think one of the significant reasons for this is that Nelson City has not allowed intensification.



2.1.5 Car Dominated Urban Area because of Mandated Sprawl. We already have an extraordinary 44% of the CBD taken up by car parking, roads and car dealers. As Alan Grey suggested, this is quite high compared to other comparable cities in NZ, let alone cities overseas that we might wish to emulate. When we allow more people to live close in to the city and transport routes, we will need fewer cars. And as the memo from NCC Transport team (S32 Appendix 3F), limiting the availability of car parking is a recognised strategy to reduce the attractiveness of car commuting.

Below is a map we prepared. From the centrelines of the ring roads around the CBD, 44% of the area is given over to cars (shown in yellow). The city should be for people, not dominated by cars; 10m² taken up by one person in a car compared to less than 1m² per person on a bike or on foot



Centre of Nelson filled with cars:
 AREA inside Ring road centrelines: 259,670m²
 (left hand side)
 AREA taken up by cars, carparking and car sales
 yards 113,128m² (right hand side)
 PERCENTAGE given over to cars = 44%



2.2 Other reasons for Densification :

2.2.1 Carbon Cost of Infrastructure km is Less: The Infrastructure requirements are significantly less for a compact city compared to a sprawling one and this comes at a carbon cost per km of roads, footpaths, pipelines for the 3 waters, km of fibre optic and electricity cables as well as trenching km all come at an increasing carbon cost the more sprawling our settlement patterns are. This is rarely acknowledged.

2.2.2 Infrastructure Upkeep Burden is Less with compact cities: Maintenance to roads, footpaths, pipelines for the 3 waters, are all directly related to distance. Compact cities have fewer km of this infrastructure to maintain, meaning less burden on ratepayers. Again this additional cost of sprawl is rarely acknowledged but has resulted in unaffordable rate burdens in sprawling towns and cities in this country and across America.

The inefficiency due to this sprawl is one of the key reasons settlements throughout New Zealand are struggling to maintain their infrastructure at an acceptable level.

2.2.3 Nature and Farmland can be Close with a compact urban form.

2.3 Comments and Changes to the Plan Change we would like to see

2.3.1 Make Car Dealing an Industrial Activity. We ask for an additional change to the plan change and that is to make the city less focused on cars by making car sales and fossil fuel selling petrol stations an industrial activity. We have measured that 37,690m² of city centre and city centre fringe land is taken up by just car yards and servicing buildings. Betts 4 storey apartments on the corner of Nile and Trafalgar square is 292m² for 17 apartments. This means the land taken up by car yards is nearly 5000 apartments worth, at the Betts rates. Some of this land could of course be used for retail, entertainment and hospitality uses, but there is already other land for this as well as the land the fossil fuel stations are on. We note here that having retail destinations all in close proximity increases the feeling of urbanity. Having almost half of the city taken up with car dealers, roads and parking, disperses the good bits of being in a city, making the city experience more diffuse. We suggest a graduated timeline of 5 years for car yards and petrol stations to move out of the CBD. Perhaps their rates could double every year as an incentive to move early rather than later.

2.3.2 Tiny House Areas on Flood/Liquifaction prone land - Low lying or Liquifaction prone land that is problematic to allow permanent housing on, could be used for Tiny House Clusters. These Tiny Houses we are talking about here are either built on trailers or are small relocatable dwellings, so are easily moved in the event of an earthquake or if sea level rise occurs at the upper end of projections. There is some infrastructure requirements such as additional sewerage lines that need to be installed, but we would suggest that roads do not need to be built: The very people interested in Tiny houses built very close to the town centres are the very ones least likely to have a motor vehicle, and if they do, vehicles can be parked in the periphery.



2.3.3 Trees in Every Street - As we densify our urban areas, large trees are no longer appropriate on our sections. Shrubs and small trees yes, but we must move to the situation of having our large trees in parks but also on every street. While we recognise challenges with having trees in paved areas, they are not insurmountable with permeable paving and careful species selection. Trees of course bring multiple benefits - to our mental health, as birdlife corridors, as carbon sinks and as a means of cooling the ground: It has been found in European heat waves that streets with trees on them were some 5° cooler than those without trees and that resulted in markedly fewer heat-stress health issues for people living in those streets. Having trees on streets is a paradoxical traffic safety measure: Whilst it is safest if a car can't crash into a rigid object like a tree, the very fact that trees line a street means the speed we will subconsciously drive at will be lower and so the resulting street is safer. Stockholm tree pits are a method of allowing trees to grow under paving in "structural soils". We ask for deciduous trees in every street, but starting in the streets that are to be the highest density



2.3.4 Support for 3 Dwellings per Title. The proposal to allow 3 dwellings as of right without a resource consent is crucial and was completely overlooked in the Future Development Strategy as a means of increasing density. We think this is the nearest thing to a silver bullet we have for allowing increased density with no additional load on infrastructure*, minimal resources required and at very low cost. The FDS assumed that only those sections large enough to accommodate another dwelling were those where you could build a "granny flat" (sometimes called an accessory dwelling) adjacent to the existing house. So it came up with very low numbers possible from this form of intensification. But it completely ignored the potential for "partitioning" existing houses into two. We think that any existing house could be partitioned into two with minimal extensions into side and back yards and so the potential numbers possible with this form of intensification are huge. If realistic partitioning numbers were included in figures then we do not need to rely on such high multi-storey buildings to get the additional dwellings that population growth projections suggest are necessary. Currently partitioning like this is quite expensive, requiring a burdensome and costly Resource Consent and significant Development Contributions to council. But if you are partitioning a large 3 or 4 bedroomed house (of which we have a surplus) into two, 1 or 2 bedroomed houses (of which we have a deficit) what is the difference in

Issued for Information

Scale 1:100
Drawing No. 1
Drawn Peter Olorenshaw
Date 19/04/20

"Partitioned" Floor Plan

Floor Plans
"Partitioning" Example

Drawing Title

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Project

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Submission on Plan Change 29 NCC Nelson Transport Strategy Group (Nelsust) Inc. Page 8

2.3.5 Reductions to Max Heights Requested: The height proposals are surprisingly high, one of the 2 most contentious things in the proposed changes. We think they are unnecessarily high in allowing 6 storeys as of right in high density areas and 4 storeys in medium density areas. While this height might be something we head to in the future, it is a significant shock to a provincial city like Nelson where most houses are only single storey, only a few 2 storey. We ask you to change this to 3 storeys as of right (11m) (with other changes to recession planes - see below) in the high density areas and 2 storeys in the medium (8m). To go higher you should have to apply for a resource consent where things like neighbourhood effects can be taken into account.

2.3.6 Recession Plane Changes Requested: This is the second most contentious thing in the proposed plan change. *Nelson is unusual in having recession planes that vary depending on the direction the boundary faces so that winter sunlight, not just daylight, is allowed into your neighbours property - with the existing plan. Here and Nelson (and Richmond) the recession plane for a Southern boundary is a quite low 25° taken from 2.5m above ground level. Other boundaries have steeper angles (35° for East and West boundaries and 45° for Northern boundaries. This is proposed to be radically changed - even in ordinary residential areas.* Initially our convenor thought yes this is something we have to change - he has been a solar architect all his working life but suggests we now know how to build houses that need virtually no heating, without relying on winter sun. However this is no relief to someone in an old draughty bungalow. These old houses are literally impossible to insulate or draft proof as efficiently as a new house and many of them rely on winter sun coming over their neighbours' properties to keep them remotely liveable without large external heat inputs.

The existing daylight over provisions actually allow quite a lot more development on existing sites than is often supposed. Please see appendix where 4 dwellings can be built under existing daylight over rules using the comprehensive development rules and with just a tweak to site coverage rules.

The PC29 proposals are to replace these low and site orientation nuanced recession planes with much higher and non variable recession planes (3m up and 45° General Residential Zone (GRZ), 4m and 60° Medium RZ and 12m and 60° in High Density RZ).

Most problematic, there is nothing in the proposals that deals with the issue of **TRANSITIONING** to a townhouse type in our higher density areas. How do we deal with the situation of a cold draughty bungalow to the south of a new high rise apartment building? Here we offer a solution to this transitioning to a townhouse typology:

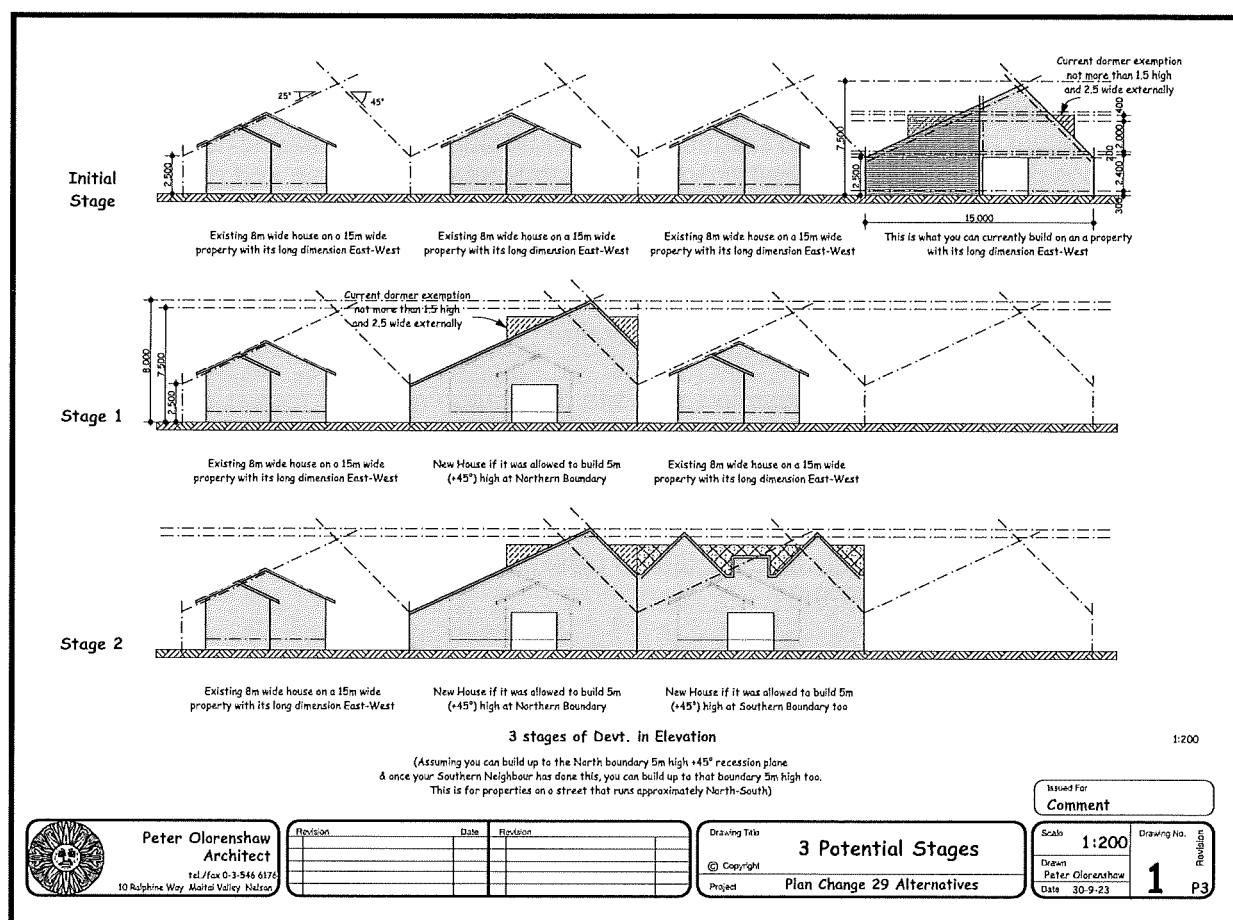
We ask that you change the recession planes in Plan Change 29 to keep the current daylight over regulations for "Southern" Boundaries but we allow building up to "Northern" boundaries - 2 stories high and with 45° recession plane above that (to be more precise: 5m up and 45° in above that in all 3 new residential zones). (Note this is not proposed to be allowed in any zone under the current PC29 proposals.) So although this would restrict the amount of DAYlight into your neighbour's south side windows, it would not restrict the SUNlight. **AND the additional rule that once someone has built up 2 stores high to your "Southern" boundary - you can build 2 stories high up to that boundary too.** This would allow townhouses to happen like dominoes along the street or at least provides a mechanism for transitioning to townhouses with side walls touching. (When you have side walls touching there is zero heat loss from your side walls - so although you might get limited amounts of winter sun into houses on East-West orientated sections, you will have zero heat loss from 2 of the 6 sides of a cube (ideal house) that you would otherwise have with houses not adjoining).

See below for an illustration of 3 stages of the worst situation ie Sections with their long sides running East-West.

Stage 1 is the existing situation with an existing bungalow in each adjacent section that fits or almost fits under the existing daylight angles. At the far right is a building that can be fitted in under the current daylight angles. This is for a 15m wide section - narrower sections make it harder to fit a 2 storey house under the daylight angles, wider sections make it easier. Stage 1 is where if our proposals for changes are put through allowing building 2 storeys high on the Northern boundary.

Stage 2 is where once someone has built up to their Northern Boundary, 2 storeys high, you could build up to 2 storeys high there too. (The white square is essentially a tunnel through the building to an inner courtyard for car and bike parking and leading to further units in the back).

Note that "Southern" Boundary should be defined as the Southern Boundary $\pm 45^\circ$, Likewise the "Northern" Boundary talked about above should be defined as the Northern Boundary $\pm 45^\circ$, ie boundaries that are East-West $\pm 45^\circ$.



2.3.7 Boundary Setback Changes Requested: We find it curious the proposals no longer allow people to build up to the boundaries (as of right) in the medium and high density areas. This leads to townhouses not having side walls touching, even in the highest density residential areas and we think this is wrong. Currently you can do this in all residential zones as long as you fit under the recession planes. This is really something we should hold on to and actually build on to.

We request that the current ability to build right up to the side boundaries be retained in all zones and extended as noted above so that in at least the medium and high density zones, you can build 2 storeys high up to your "Northern" boundary as of right, and once your Southern neighbour has done that, you can build 2 storeys high up to that boundary too.

2.3.8 Site Coverage Changes Requested (or more correctly building coverage) - A significant finding of the 2008? NUGS report (Nelson Urban Growth Strategy) was to “Grow In” rather than “Grow Out”. This has been misinterpreted as “Growing Up” rather than “Growing Out”, but it is not the same thing and this is where we think the present plan change proposals have seriously missed what people are presently comfortable with. So along with the proposals to go too high as of right, are the proposals to have site coverages too low - Currently ranging from a low of 30% to a high of 40% and proposed only to go up to 50% in even the highest density areas. **We request building coverage should be 55% in all zones** - this is still allowing more than a 45% of the land to be used for vegetation, for growing some plucking greens some herbs, some fruits trees perhaps espaliered along boundaries. And in allowing more building coverage, **We request permeable landscape areas be increased to 25%**. This will mean the building plus impermeable paving would be the same as the PC29 current proposals. We note permeable landscaping is easier to do now with permeable paving that looks superficially no different to regular hard paving as well as paving such as open concrete blocks with grass growing through it.



2.3.9 Request inclusion of Reserves every 1/2km - part of higher density living is the provision of parks, reserves or open space close by every house. If they are spaced no further apart than 1/2km, then no one has to go further than 250m to get to one. Even if these are just a regular sized suburban section where the house is moved away and it is planted up with large and small trees, quite a bit of grass, perhaps some play equipment for children a seat to rest on and ideally toilets as well - for particular children and the elderly who may get caught short. We note that the often voiced opinion that children need a 1/4 acre to kick a ball and run around on is wrong in that often there were windows to be smashed and flower beds to be trampled on that severely curtailed this from being a real thing. We think have close by reserves where this can really happen is a better option.

2.3.10 Heritage and Views - We note the present plan says nothing about having to build houses in keeping with your neighbours and nothing about protecting views. We think that Californian bungalows although they have their charm in summer are a maintenance nightmare, are rarely an appropriate plan for the way we live now, are literally impossible to insulate or draft-proof well and so are energy hogs as well as cold, damp, unhealthy environments for people to live in. While accepting a few heritage areas essentially set in stone and unable to be changed, this is completely wrong for the rest of the city. We don't think maintenance of neighbours views is a good enough reason for blocking increases in density. If there was a requirement to show how you are not significantly affecting neighbours views, this could be massively misused to block density increases just as “heritage” is being used as a density-increase block. It is spurious; we need to move on.

2.3.11 CBD Only Intensification is completely inadequate - We think intensification of



just the CBD needs to be debunked as the only means of intensification needed. Of course we should have people living over shops and offices - it was terrible that this completely natural “mixed use” of development was outlawed in the 1950’s planning rules that basically insisted on dormitory suburbs. And while there is quite a useful amount of intensification available from this form of development, we think it is still a step too far for most people in a provincial city like Nelson in 2023. Most people we think would still prefer a townhouse with their own bit of ground to grow a few things on, a patch of grass to sit on. So we would push back hard on CBD intensification as the only necessary intensification. We need that townhouse “donut” ring of middle density that is missing around the CBD. This was what we were doing before planning rules came in that insisted on low density here at the bottom of Shelbourne St.

And this is what is what we need more of, like this at Hathaway Court:



2.3.12 Highway Noise Insulation Requirements rejected -

1. We do not think building work adjacent to state highways should have lower noise isolation standards than local arterial roads of a similar speed.

2. We think it should be up to the Ministry of Transport to regulate noise emanating from motor vehicles. Noise could and should be tested at Warrant of Fitness time to be at low levels, including when the vehicle is revved.

3. We think Waka Kotahi should be tasked with installing low noise asphalt on roads near dwellings, rather than people having to isolate/insulate themselves from tyre roar. WK should be charging costs to people making the noise to mitigate it.

4. While the noise from vehicles at speed is dominated by tyre roar and so Electric Vehicles are not significantly quieter than Internal Combustion Engine Vehicles at a constant higher speed, EVs are significantly quieter when under acceleration and deceleration than ICE vehicles. So as the fleet changes over to EVs, noise from acceleration and deceleration will naturally decrease. We note here that electric trucks won't have to use noisy exhaust braking to slow down: the natural regenerative braking is very powerful and almost soundless.

So in conclusion we don't think there is a case for insisting all new building work is soundproofed from other people's noise. We suggest there are ways of stopping the noise at source by regulating exhaust noise from existing ICE vehicles; by using low noise road surfaces paid for by those making the noise; and that the move to EVs will reduce the noise from acceleration and deceleration in proportion to their fleet makeup.

2.3.13 Request Change to Land Development Manual to be included to allow much narrower cycle paths to be included alongside but clearly distinct from cycle paths up on existing footpaths. We repeat here the photo from Munich showing much narrower cycle paths than currently considered suitable - here only perhaps 750mm wide, and walking paths narrower than currently acceptable - here only perhaps 1m wide.



With the foot and cycle paths being adjacent a person on a bike can temporarily use the walking path to overtake another person on a bike, provided the way is clear, likewise with people walking, they can walk around people stopped to chat by using the cycle path if that is clear. Other things not readily apparent in this photo that we ask NCC to emulate is that the grass (and trees) are on the street side meaning the transition from street level to cycle/footpath level is taken up by grass areas, not on walking or cycle paths. It also means that a passenger side parked car door opening is not going to present a hazard to someone biking past. The services here are under the pavers that can be taken up to change services and invisibly put back once changes to services are made. Likewise these pavers can be relevelled if they ever come out of level. Lastly the paving treatment is consistent throughout the town - if you are on the pavers - you aren't on a cycle path. Although pavers like this are not cheap they are very long lasting without maintenance. They don't look tacky or rapidly become indistinct or tired looking like painted demarcations do. And with services changes not resulting in a patchwork quilt of asphalt repairs, the paths maintain a high quality in both appearance and function.

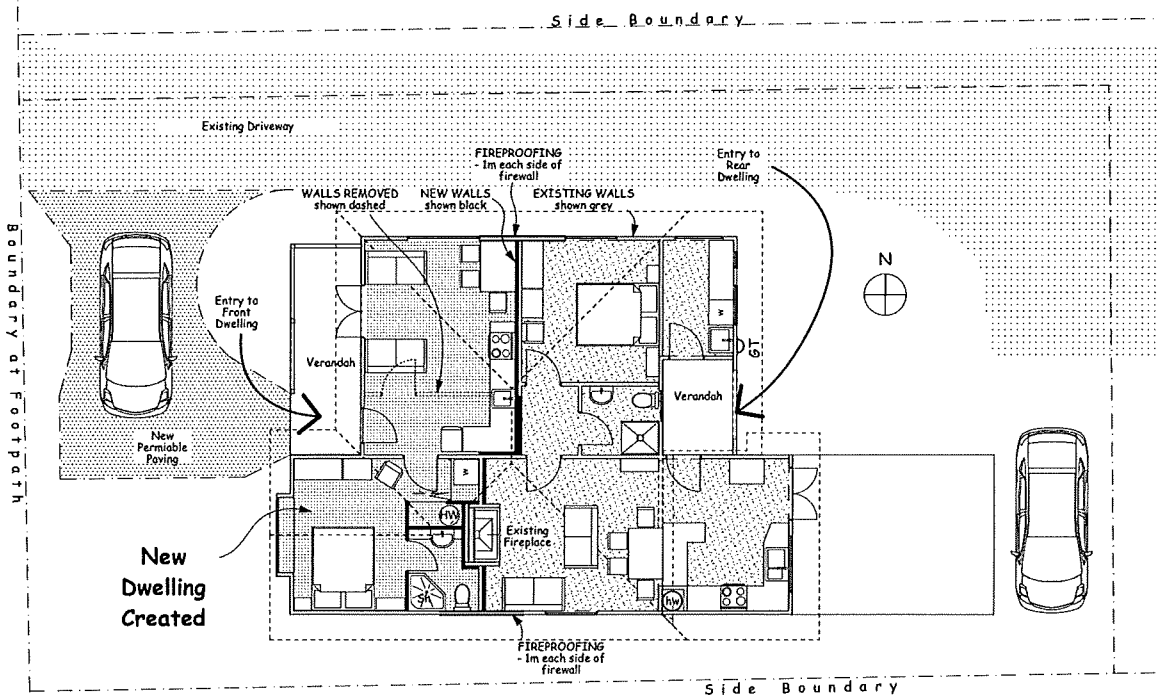
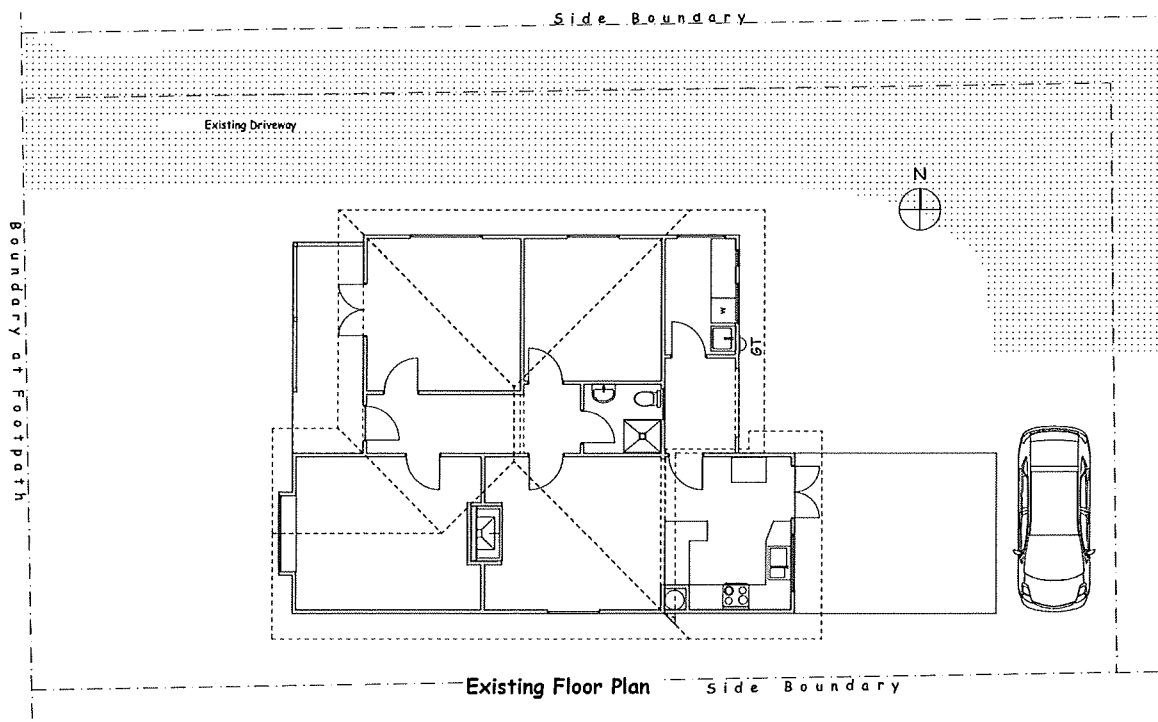
To be clear we do not support shared paths on commuter routes, but these are not shared paths - they are clearly demarcated cycle and walking paths and virtually every footpath in the city could have them.

2.3.14 Support for Appendix 3F of S32 Report - NCC Transport - In particular:

1. **Carpark Charger enabled** - Support for recommendation 8.3: new rule where on site car parks are provided, each residential unit should have access to at least one car park that has either a charger or the infrastructure such as ducting and switchboard capacity to support charging equipment
2. **Good Cycle Network connections** should need to be shown in new subdivision plans, including protected cycle paths where the speed limit may be or become faster than 30kph.
3. **Cycle parking to be provided** - Support for recommendation 9.3: Require mandatory provision of cycle parking on site using a table that prescribes minimum numbers of cycle parking based on the type and size of activities. Include residential and non residential activities. The recommended numbers should align with other district plan requirements. Cycle parking should not be required for residential units that have a dedicated garage or covered carpark.
4. **Change ICr31.3 to specify maximum** not minimum car parking numbers

PTO for Appendix

Appendix 1 :
Partitioning Real Life Example \$116,000 for new dwelling created (2020 dollars!)



"Partitioned" Floor Plan



**Peter Olorenshaw
Architect**
0-3-546 6176
peter@peteroarchitect.co.nz
10 Rolphine Way Maitai Valley Nelson

Drawing Title

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Project

Floor Plans

"Partitioning" Example

Issued For

Information

Scale **1:100**

Drawn **Peter Olorenshaw**

Date **18/06/20**

Drawing No.

1 of 2

Revision

Notes for "Partioning" Example

Costing "Partitioning" of an Existing House into Two Dwellings - a real worked example
Showing how an existing 2 bedroomed Villa in Seymour Avenue is divided into two 1 bedroom houses

Total Cost of New dwelling is less than \$120,000 - this includes land, consents, consultants, GST.

It includes everything involved in creating this new dwelling, including all the new plumbing and drainage, firewalls, new joinery, painting and floor coverings ready to move in.

In this case no extension to the existing house was required, it was all internal alterations. The existing kitchen, bathroom and laundry were retained for what becomes the rear dwelling, with the new dwelling created in what was the front two rooms. We would like to point out that the land costs of this new dwelling are zero.

Background: Most of the houses in the region are 3 and 4 bedroomed houses yet almost all of the population growth is in the over 65 year old age groups. These are not the people needing family homes - they only need and want 1 and 2 bedroomed houses. However almost all these 3 & 4 bedroomed existing houses could be "partitioned" into two 1 or 2 bedroomed houses without significant extension of the buildings.

Little Material Resources, Low Climate Load: Any building work requires resources and other things being equal, the fewer resources required to build a new dwelling, the lower climate change footprint it has. Utilising space within an existing dwelling, even if sometimes requiring extensions out into an under-utilised side yard is a great, low climate load way of creating a new dwelling. Furthermore, unlike a new stand-alone house, most of the cost in "partitioning" a house is in labour, not materials. So this is a way of stimulating the local economy with a low carbon footprint.

The Council should not charge Development Contributions for Additional Dwellings created by partitioning like this, if there is no load on infrastructure.

The roads are already there, the footpaths, the water supply, the sewerage and stormwater are already in place. After all what is the difference in infrastructure load between a fully occupied larger house and that same house split into two? The number of bedrooms is not increasing and will often decrease.

ESTIMATE TRADE SUMMARY

(In approximate order of construction - refer full estimate for notes)

NOTE: REFER ALSO TO CAVEATS AND CAUTIONARY NOTES ON MAIN ESTIMATE

PRELIMINARY & GENERAL	16.1%	13,534.01
DEMOLITION	3.6%	3,007.50
EXCAVATION & HARDFILL ETC.	1.0%	804.50
REINFORCING STEEL	0.0%	0.00
CONCRETE FORMWORK VAPOUR BARRIER	1.3%	1,032.57
CONCRETE BLOCKWORK	0.0%	0.00
CARPENTRY SECTIONS		
Sub floor framing	8.5%	2,101.78
Floor framing & flooring	1.2%	275.31
Wall framing	18.6%	4,634.98
Posts & beams	0.0%	0.00
Roof framing	8.1%	2,019.34
Other framing (decks, pergolas etc)	0.1%	23.84
External claddings & trim	23.1%	5,760.20
Internal linings & trim	21.2%	5,281.30
Gibraltar board (not stopping)	19.5%	4,852.64
CARPENTRY TOTAL	28.6%	24,949.39
STRUCTURAL STEEL	0.0%	0.00
SPOUTING, GUTTERING & DOWN PIPES	0.0%	0.00
ROOFING (including membranes & rooflights)	0.9%	703.00
BRICKWORK	0.0%	0.00
SOLID PLASTER INSULCLAD HARDITEX STOPPING	0.0%	0.00
TIMBER METAL WINDOWS, DOORS & GLAZING	0.0%	0.00
GLAZING	2.0%	1,625.00
GIBRALTAR BOARD STOPPING FIBROUS PLASTER	2.5%	2,078.95
METALWORK (custom made & balustrading)	0.0%	0.00
STAIRCASES & BALUSTRADING (internal only)	0.0%	0.00
DOORS AND FRAMES (including glazing)	1.7%	1,382.93
KITCHEN FITTINGS	5.9%	4,950.00
HEATING APPLIANCE HEATING SYSTEM	0.0%	0.00
PLUMBING (including shower doors & screens)	12.3%	11,233.85
ELECTRICAL (including any related work)	7.5%	6,318.00
DRAINAGE (sewer & stormwater)	1.3%	1,095.00
PAINTING (new & altered work only)	5.1%	4,238.10
RESILIENT FLOOR COVERINGS (carpet vinyl cork)	3.3%	2,743.50
CERAMIC TILING (floor walls deck)	0.0%	0.00
SITE WORKS	5.8%	4,830.80
OTHER WORK (specify)	0.0%	0.00
TOTAL ESTIMATE NET		\$ 84,527.10
*** ADD PROFIT & OVERHEAD MARGIN ON MATERIALS & SUBBIES ***		12.5% 7,626.99
*** ADD PROFIT & OVERHEAD MARGIN ON LABOUR ***		0.0% 0.00
G.S.T.		15.0% 13,823.11
TOTAL ESTIMATE		105,977.20
*** ADD CONTINGENCY SUM ***		AS SPECIFIED INC GST & MARGINS 10.0% 10599.45
*** ADD CONTINGENCY SUM ***		BUILDER'S CONTINGENCY FOR CONCEPT 0.0% 0.00
		116,576.65

Council Rules presently stop this happening: are just 2: the minimum section size per dwelling (Rule REr.23) and the maximum amount of the site allowed to be covered by buildings (REr.24). The number of on-site carparks could also be a stumbling block as present rules ask for two on-site car parking spaces for every dwelling with more than one bedroom in it. However these rules are outdated and counterproductive to getting additional housing density in parts of our town close to the shops, town centres or main public transport routes. Although these three rules will change significantly in the new Nelson Plan, that will be years away. However you can apply to do things which are don't fit the rules by applying for a resource consent to do so. It is fairly clear that as these things are about to change in the new plan it is likely a resource consent to partitioning would be granted. There is a cost of a resource consent which is unlikely to be less than \$1000, but also unlikely to be more than \$10,000. Even if it was \$10,000, \$130k for a new dwelling is very cheap.



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10 Rolphine Way Maitai Valley Nelson

Drawing Title

Notes & Estimate Summary

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Project

"Partioning" Example

Scale

n.a.

Drawing No.

Drawn

Peter Olorenshaw

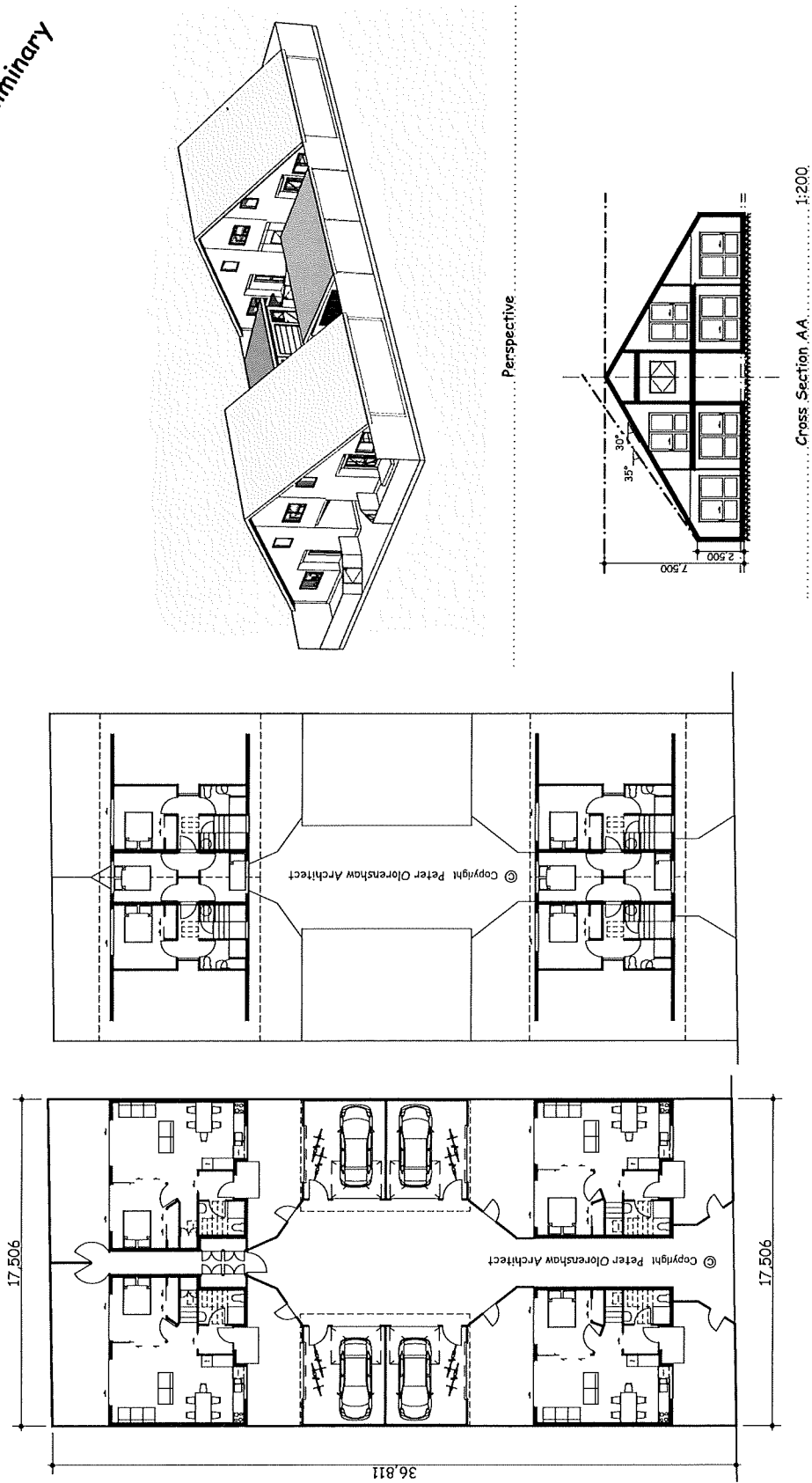
Date 18/06/20

2 of 2

Revision

Appendix 2 : 4 Dwellings under existing Daylight Over Provisions 17.5m wide section
 (Note these are for Sections running North-South, if they were running East to West the building would have to be lopsided and it is more difficult to get 4 reasonable sized dwellings on a normal sized section)

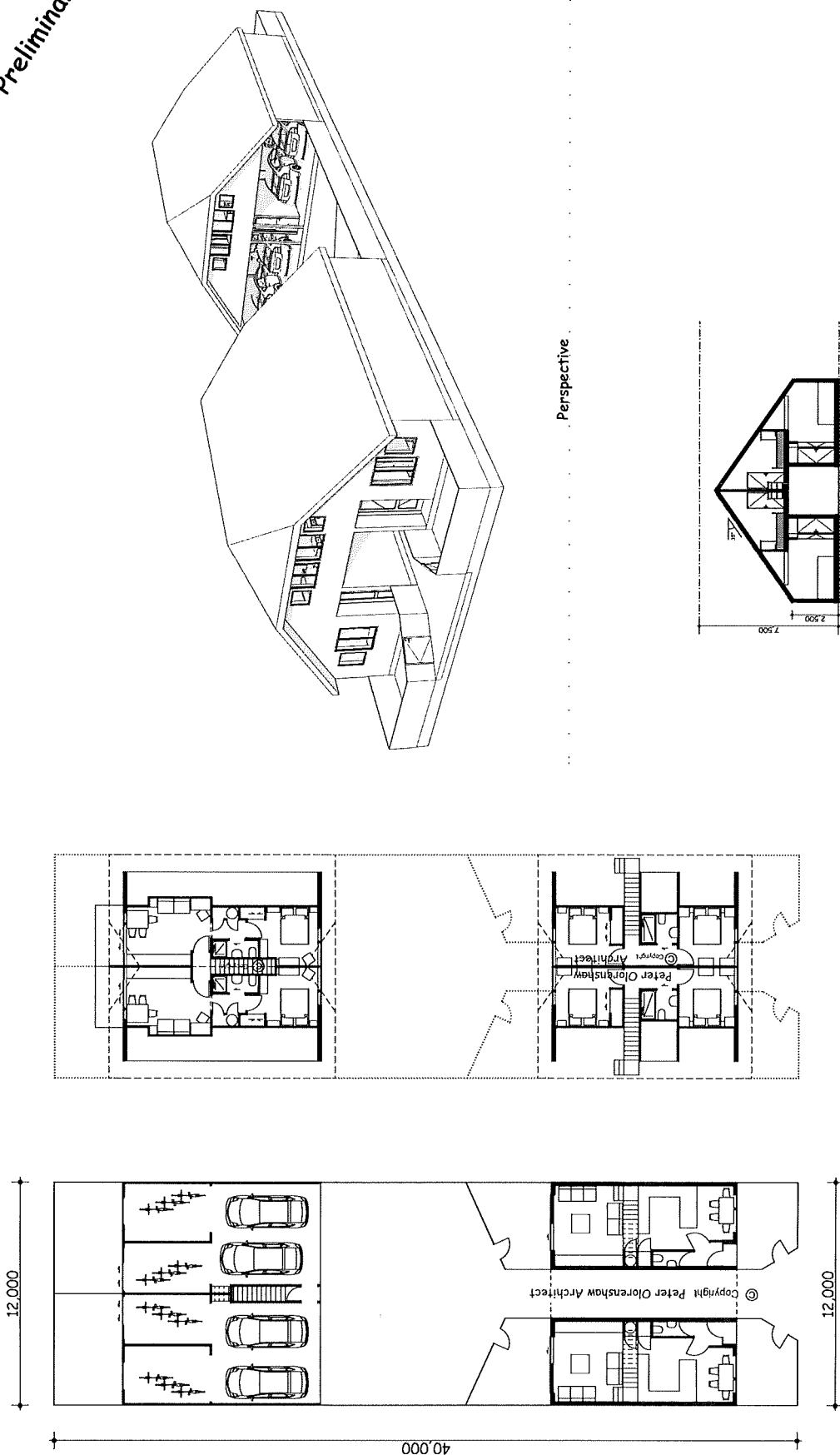
Preliminary



Peter Olorenshaw Architect 0-3-546 6176 peter@peterarchitect.co.nz 10 Raipine Way Maitai Valley Nelson		Revision Date Revision	Drawing Title Floor Plans, Perspective & Section © Copyright Project 4 Houses on 17m wide Section	Scale as shown Drawn Peter Olorenshaw Date 01/09/23	Drawing No. 1 Revision p3
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4 Dwellings under existing Daylight Over Provisions 12m wide section:

Preliminary



Issued For		Comment	
Scale		as shown	
Drawing No.		1	
Drawn		Peter Olorenshaw	
Date		1/09/23	
Revision		P1	

Drawing Title		Floor Plans, Perspective & Section	
© Copyright		Peter Olorenshaw Architect	
Project		4 Houses on 12m wide Section	

Revision	Date	Revision

Peter Olorenshaw Architect	
0-3-246 5176	
peter@peterolorenshaw.com	
10 Rappahannock Way, Midvale Valley, Nelson	

Thank you for the opportunity to submit on this issue.
(End of Submission)

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S609
Submitter Name	Adam Stait
Submitter first name	Adam
Submitter middle name	Christopher
Submitter surname	Stait
Submitter is contact	Yes
Email	adam.stait@hotmail.co.uk
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	Do not agree with so many areas being able to build 3 or 4 stories high without consent, this will have a big impact on sunshine hours, privacy and safety, I also do not think that we have the infrastructure on roads to accommodate such a large growth in the Nelson population, and worried how this will impact the environment as well. We as a community chose to live in Nelson for the laid back sunny safe lifestyle and I think plan 29s changes will have a major negative impact in this region in the future and will go down in history as one of the worst decisions the council has made if it goes ahead	I wish for the council to oppose/decline plan 29

Documents included with submission

None

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S610
Submitter Name	Sarah Little
Submitter first name	Sarah
Submitter surname	Little
Submitter is contact	Yes
Email	sherryerry@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	They are not mandated by the government plan. While Nelson needs to accomodate growth this can be either achieved under current zoning anyway (as seen by tahunanui flats for example) or by lower zones. The character of Nelson would be forever changed and if I wanted to see or live in or by high rise buildings I would move to one of the larger cities (Auckland, Christchurch, Wellington etc). It also seems pointless to have the HRZ if it would in practice need a resource consent anyway if it had more than 3 units. If it cant be removed entirely, the only alternative would be to allow an HDZ in the Nelson CBD area alone.	High density residential zones should not be allowed as of right and should be removed entirely from the plan change.

Natural Hazards/Climate Change	General natural hazards/Climate change	Support	While modelling may not be perfect, it is vital that we plan for the existing and future hazards homes in Nelson will face. This should not be put off even if none of the rest of the plan change happens.	I agree that the natural hazards overlay needs to be updated.
Suburban Commercial Zone	Suburban Commercial Zone	Oppose in part	This area does not need further commercialisation. A building this height would impact the visual amenity of the whole valley.	I do not think that there should be a suburban commercial zone allowing up to 24m in height in Dodson Valley area.
Heritage	Heritage schedule	Amend		There should be a more robust review of the heritage areas and which are included and excluded.
Residential Zones	Medium Density Residential Zone	Oppose in part	There are already concerns around ability to transport people and vehicles along Dodson Valley Road due to its narrow portions. This would only worsen. It would also decrease the visual amenity, light, and privacy of all residents within the valley due to the topography. The valley did not fare well during the most recent weather events, and adding to intensification would only make that worse due to location of streams, fault lines and the land being on a giant gully.	There should not be a Medium Residential Zone in Dodson Valley as proposed. It should be only general residential instead, or unchanged from current plan.
Residential Zones	Other	Oppose	Access to daylight is hugely important for human health and wellbeing. Removing these provisions means it will be difficult for people to live sustainably by growing their own food or making solar energy. Existing residents will be disproportionately affected.	Oppose the changes to daylight angles for all zoning areas. These should not be changed at all.

Entire Plan Change	General opposition	Oppose in part	The current Plan rules do not prevent sufficient development from happening, so there is no need to change the zones. This approach would ensure that each area could keep an intensification that suited the area.	Removal of intensification 'as of right' provisions. A neighbourhood by neighbourhood approach to the planning should be done.
Residential Zones	Other	Support	These are sensible.	Accessible car parking for accessible dwellings, mandating bike parking, and acoustic insulation near highways are all reasonable requirements for all areas.
Residential Zones	Medium Density Residential Zone	Neutral	The planet needs more trees.	That there be more greenspaces added to any areas that the zoning is changed for.

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S611
Submitter Name	James Genever
Submitter first name	James
Submitter middle name	Alan
Submitter surname	Genever
Submitter is contact	Yes
Email	jagvr@msn.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Inner City and City Fringe Zones	Inner City Zone	Support in part		Include a formal design step in the city planning and resource consent process, overseen by the NCC as custodian, to better optimize the nature of intensification for the long-term benefit of the community. A design competition(s) could be included as part of this for key changes like a pedestrianized Trafalgar Street.

Very attractive planned streetscapes for Nelson inner city, with consultation, can be instrumental in bringing increased foot traffic, economic activity and a positive ambience back to Nelson. The plan change should be designed to accentuate the outstanding natural setting we have for our city.

I support Timo Neubauer's view (published Oct 23 in Stuff/Nelson Mail) concerning neighborhood plans and a design for each urban block, building on a shared vision for those affected. Other cities internationally have very strong civic oversight of building plans and facades. We should not let a short-term stampede for rapid accommodation obliterate the uniqueness of Nelson, especially in the most important locations such as Trafalgar and adjoining streets.

I am concerned that this one-time opportunity for the regeneration of Nelson in a new and exciting way, will end with compromised and disappointing results. Unsupervised intensification, left primarily to developers and the endeavours of individual owners would likely be a mess from a livability point of view. Again, other cities do manage the appearance of the streets and environs of their communities through skilled professional planning, architectural standards and permit processes.

Although subject to separate proceedings, I think also that protection of the Maitai floodplain should be built into this planning by ringfencing the proposed Maitahi/ Bayview development as a recreational/ forest reserve area and not subjecting it to new urban sprawl (intensified or otherwise). It has been preserved for good reasons over almost 200 years and due also to its proximity to the Nelson centre, would clearly continue to be a major long-term asset to the livability of Nelson as it grows.

I personally would live with the impacts to my two properties in Pitt Street Nelson and Black Street Stoke from intensification, if the above objectives can be met.

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S612
Submitter Name	ayumi stait
Submitter first name	ayumi
Submitter surname	stait
Submitter is contact	Yes
Email	ayumi.nakamura.0704@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	Where I live in Nelson is safe, great community and long day sunshine in a day. If there are 3 / 4 stories high residential area develop without a consent, I am very concern that our community would lose safety.	I wish the Council oppose to Plan change 29

Documents included with submission

None

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)

*Required

Submitter Details

Full Name*	Jason Rodney James McCormick		
Organisation	Self		
Contact Person	Jason McCormick		
Postal address*			
Telephone*		Email*	jbebaby@xtra.co.nz

OFFICE USE

Submission No: S613

Date Received Stamp:

30/10/23

NDOCs No:

539570224-16970

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)

29/10/23

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
- ☒ Residential
- ☒ Inner City and City Fringe
- ☐ Industrial
- ☐ Suburban Commercial
- ☐ Natural Hazards/Climate Change
- ☒ Heritage

- ☐ Papakāinga
- ☒ Transport
- ☐ Mapping
- ☒ Infrastructure
- ☐ Area outside of Plan Change
- ☐ Subdivision
- ☐ 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)

Please see attached Submissions

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 the attached pages

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.

Plan Change 29–Submissions 1- 4 - made by Jason Rodney James McCormick

My submission is:

1.The specific provision – **ResidentialZone –All and in particular High Density Residential Zone (“HDRZ”) classification**

1.2 Support or oppose or wish to have them amended – **oppose**

1.3.**Reasons for my view -**

1.3.1. New Zones especially HDRS is not suitable or necessary. To allow HDRZ in a residential zone will have detrimental effect on those areas in that:

1.3.2. It will cause those areas particularly where there are older homes to lose their specific street character and landscape causing breakup of those areas by bulk buildings in those areas. The character and landscape need to be preserved in those areas.

1.3.3. That allowing HRDZ will detract from light and light available in those areas and will remove portions of the existing daylight admission control planes). I would ask that these remain as at prior to public notification of plan 29.

1.3.4. The HDRZ will increase population into a relatively small area and will put significant pressure on infrastructure and resources in those areas.

1.3.5 There is no requirement for any landscaping of buildings to the street. There is reliance on already existing landscape such as parks and green-spaces such as the church hill to provide landscape to these buildings and those resources are not limitless in their capacity to absorb the pressure of these buildings and population. These buildings need to contribute to the landscape community environment visible to all not just within their own buildings (internal court yards only provide amenity for those in the building)

1.3.6 This new zone does not guarantee a vibrant city centre and neighbourhood so can be no justification for the zoning. Indeed, in cities like Wellington and Auckland HDRZ have resulted in less vibrant/ loss of neighbourhoods/ unsafe neighbourhoods and increased crime in the inner city. In many cities increased apartments have led to absentee landlords and Air-BnB's not creation of neighbourhoods.

1.3.7 It is inappropriate for the council to classify an area HDRZ based on closeness / walk-in distance to the inner city. This may be one reason but it needs to be assessed against all of the negative effects of this zone.

1.3.8 The HDRZ will have a negative effect on and unduly compromise privacy and amenity of existing residences in the areas sought to have it imposed upon that have mainly low level one and two storey homes on. There is insufficient space between buildings and so-called protection of front forward building bulk will not protect adjoining smaller sections.

1.3.9 The existing residential zones allow sufficient flexibility for building of multi-level buildings – notification is needed and consent needed to ensure control over such buildings. That a number of such buildings have already been

undertaken in Nelson or have been consented indicates that HDRZ is not necessary.

- 1.3.10 Too much pressure is being placed by HDRZ on a small area of Nelson. This is perhaps due to other areas of development begin excluded by reactions by the council to climate change meaning it no longer seeks to allow development in other areas but that may change as new technologies allow development in those area.
- 1.3.11 I am particularly concerned about the imposition of HDRZ on the area of Nile Street Nelson where I live (south side Nile Street on East Nile Street). Under the new zoning our area and buildings would be affected as I have set out above. I consider that the existing higher buildings on the north side of Nile Street (e.g. Bett Building/ Pitt and Moore building) are where the medium density should start rising toward the inner city /CBD. Nile street itself provides a sensible boundary and space for increased heights of buildings, differing styles and use.

1.4. I seek the following decision from the council:

No new residential zones. The existing residential classifications to remain.

No HDRZ in residential areas.

Particularly no HDRZ for south side east Nile Street and surrounding residential areas.

Amend plan 29 to allow graduated increased height in the inner city /CBD– a gentle merging of inner city / CBD with residential. Generally, this graduated approach to be followed in all CBD /town areas merging with residential areas. So, start with medium density outside of residential zones and increase to Higher density no more than 8 stores in CBD.

Specifically In relation to Nile Street this would remain existing residential or general residential and start from Nile Street North side on East Nile Street – so from the Bett building moving toward the inner city /CBD.

2.1. The specific provision – Heritage

2.2. Support or oppose or wish to have them amended –**oppose in part**

2.3. Reasons for my view:

2.3.1. I oppose the changes to heritage classifications as they do not give enough emphasis include areas of character and street-scrapes and landscapes.

2.3.2. I do not oppose the creation of Richmond Avenue as a heritage area. However, I note that its qualification based on NCC assessments is borderline for inclusion which indicates that a wider view of heritage needs to be taken.

2.2.4. The inclusion of Richmond Avenue as heritage precinct should not be in substitution or as some sort of community consolation for removal / downgrading of existing heritage buildings / areas. We should be trying to keep up our heritage areas.

2.2.5. NZ needs to maintain its built heritage for future generations so they can learn from and enjoy these amenities. So much of Nelsons built heritage has already been lost and consequently loss of amenity and attraction and has not been replaced.

2.4. I seek the following decision from the council:

That the exiting heritage classifications are retained with addition of special character streets-crapes and landscapes

3.1. The specific provision –Inner city centre and fringe.

3.2. Support or oppose or wish to have them amended – oppose in part

3.3. Reasons for my view –

3.3.1. I oppose the removal of Church Hill view shaft. It is integral to the character and nature of Nelson. It is the vital connection to the land and sea and provides an important pivot for the city. It provides a special vista intrinsic to Nelson. It must be preserved.

3.3.2 The trees do not obstruct the view shaft they complement it and bring a new positive dimension to the view shaft. In winter when the leaves are off the trees there is good views down the shaft and in summer there is the benefit of the tress and the allure of landscape beyond.

3.3.3. It is the right of all Nelson to have the view shaft and enjoy it. It needs to be preserved for future generations

3.3.4. The view shaft outlook is an attraction for tourists and should be highlighted and celebrated.

3.3.4. Blanket height levels in the fringe and inner-city centre are unattractive and do not create a vibrant liveable city. The highest parts of the Rutherford hotel and clock tower detracts from the city-scape and do not integrate into the surrounding city-scape and are eyesores. A more subtle and graduated approach to building/ development is needed.

3.3.5. Random development of levels of buildings and building closer into the streets will not provide a more vibrant or safer city.

3.3.6. The city infrastructure cannot cope with buildings over 8storeys due to limited fire fighting options, and pressure on water, power and other infrastructure such as internet connection.

3.3.7. The inner city and centre need to ensure increased green spaces and landscaping of these areas with new development. There should not be reliance on existing green areas and landscaping. The city needs more of these areas not less or defused by more building to green space proportion.

3.4. I seek the following decision from the council:

Retain View shaft - no changes.

Amend plan 29 to allow graduated increased height in the inner city – centre zone – a gentle merging of inner city / CBD with residential. Generally, this graduated approach to be followed in all CBD /town areas merging with residential areas. So, start with medium density at the inner-city fringe and increase to no more than 8 storeys inner city-centre.

Specific provision for greater green areas and landscaping. No reliance on existing green spaces or landscaping.

4.1. The specific provision – Transport

4.2. Support or oppose or wish to have them amended – oppose

4.3. Reasons for my view -

4.3.1. Reduction of through traffic in the inner-city fringe and centre areas to larger motor vehicles such as cars will cause less through traffic and ability access the inner city and is not workable for business or people using the inner city.

4.3.2. Restrictions on the use of motor vehicles, through traffic and parking will put pressure on surrounding residential areas.

4.3.3. Any new buildings should have to provide car parking as the pressure on parking particularly for inner city residents is already considerable.

4.3.4. If the council wants people to live in the inner city and for it to be safe then there needs to be adequate parking and residential parking.

4.3.5. For the foreseeable future cars and other larger motorised vehicles are likely to continue to be used.

4.3.6. Apartment buildings particularly need to provide parking on site as they bring increased population pressure into an area.

4.3.7. Adequate parking brings safety to an area and its residents and those using it. If viable options of public transport are provided that will in itself offset use of private vehicles.

4.4. I seek the following decision from the council:

That new buildings including all apartment buildings have to provide parking including for cars for one park per apartment or other dwelling type.

Retaining good through access and parking in the city for all vehicles types.

I wish to be heard in support of my submission.



Jason Rodney James McCormick. 29/10/2023

Signature of submitter

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S614
Submitter Name	Redbox Architects 2017 Ltd
Submitter Company/Group Name	Redbox Architects 2017 Ltd
Submitter is contact	Yes
Email	justin@redboxarchitects.co.nz
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support	better implementation of development in high density residential zone inclusion of environmental considerations	We wish to make a submission on the proposed Plan Change 29 by Nelson City Council. Our Architectural practice has both experience of working within the existing local planning framework and expertise relating to planning, design and housing matters which is of relevance to this proposed plan change. Our practice has been involved in several recent medium/high density developments in our city including: - Townhouse and Commercial Development - Bobby Franks in the Wood - Redevelopment of Heritage listed building including new high density townhouses. - Rooftop Terraces - Collingwood Street - Inner City Terrace House development of vacant site. - 279 Inner City Apartments - redevelopment of inner city commercial to residential/short term accommodation. Residential Zones We support the intent of the proposed Plan Change 29 (PC29) to intensify housing supply in and around our primary urban areas along with the introduction of medium and high density development zones. We believe the high density zone should include some qualitative parameters given the proposed setback, height and daylight rules proposed. We believe the number of residential units permitted should not be limited but should include "minimum dwelling design standards".

Given reduced setbacks and increased height proposed in the medium and high density areas we believe some controls over visual privacy should be required. Outlook is required under the proposed rules but not visual privacy. There is no consideration for more sophisticated options for reuse and disposal of stormwater or wastewater. Better controls and reduction in stormwater should be part of the plan change.

Inner City Zones

We support the increased height limit proposed by this plan change. This will allow for development of small footprint sites which make up much of the inner city should block wide development not be forthcoming.

Climatic and Environmental Consideration

The plan change makes little reference or requirements around environmental considerations. The change considers the effect of environmental noise specifically but makes no comment on energy use or harvesting, water management, or waste disposal. The requirement for mechanically controlled ventilation over natural ventilation as a viable option in our climate is also not considered.

Summary

We strongly support the change in approach to growth and development which has been proposed by this plan change with the prioritisation of intensification over new greenfield development further from essential public services and infrastructure. We hope that

Council can maintain its resolve to bring about positive change in our region and that the possible negative submissions do not delay or prevent the implementation of this change which will assist in the ability for Nelson to become a vibrant connected and environmentally responsible city.

Documents included with submission

Document name	Plan Change 29
File	letterplanchange292.pdf
Description	

31 October 2023

Nelson City Council
Trafalgar Street Nelson

To whom it may concern

RE: PLAN CHANGE 29

We wish to make a submission on the proposed Plan Change 29 by Nelson City Council.

Our Architectural practice has both experience of working within the existing local planning framework and expertise relating to planning, design and housing matters which is of relevance to this proposed plan change.

Our practice has been involved in several recent medium/high density developments in our city including:

- Townhouse and Commercial Development - Bobby Franks in the Wood - Redevelopment of Heritage listed building including new high density townhouses.
- Rooftop Terraces - Collingwood Street - Inner City Terrace House development of vacant site
- 279 Inner City Apartments - redevelopment of inner city commercial to residential/short term accommodation.

Residential Zones

We support the intent of the proposed Plan Change 29 (PC29) to intensify housing supply in and around our primary urban areas along with the introduction of medium and high density development zones.

We believe the high density zone should include some qualitative parameters given the proposed setback, height and daylight rules proposed. We believe the number of residential units permitted should not be limited but should include "minimum dwelling design standards".

Given reduced setbacks and increased height proposed in the medium and high density areas we believe some controls over visual privacy should be required. Outlook is required under the proposed rules but not visual privacy.

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Summary

We strongly support the change in approach to growth and development which has been proposed by this plan change with the prioritisation of intensification over new greenfield development further from essential public services and infrastructure. We hope that Council can maintain its resolve to bring about positive change in our region and that the possible negative submissions do not delay or prevent the implementation of this change which will assist in the ability for Nelson to become a vibrant connected and environmentally responsible city.

Yours faithfully,



Justin Fletcher

Director, Registered Architect
BAS BArch (Hons), ANZIA



Brad Beazley

Director, Registered Architect
BArch (Hons), ANZIA

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S615
Submitter Name	Margot Miller
Submitter first name	Margot
Submitter middle name	Phillipa
Submitter surname	Miller
Submitter is contact	Yes
Email	margotphillipa@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Heritage	Heritage objectives, policies and rules	Oppose	to avoid degrading the Heritage areas .	We want the council to maintain the integrity of the heritage area in and around South St. We oppose high rise buildings in the the city area. We oppose changes to resource consent.. Our home has sunlight and privacy. We want this to continue. We think the town needs a new thoughtful plan.

Documents included with submission

None

Received: 30/10/23
Submission: 5616

Herewith MY Submission -

22nd OCTOBER 2023 - Loretta Hogg

1. **I too support** and believe we need to work together to provide for more affordable housing in Nelson. I also support - more intensive affordable residential housing development in Nelson City, and appropriate policies and rules are necessary to achieve this.
2. Well considered planning is necessary to be put in place before anything starts, to move us forward into a vibrant, welcoming, cohesive, beautiful city.
3. **The Actual City Centre** is surely the obvious first choice for more intensive residential development. Upgrade what is already there.
4. This can be done in many ways. The most obvious like cities all over the world – is to create residential housing above shops and offices in the city centre as a priority. The constant empty shops and buildings give the city a sad has-been feel. Q. Who owns the buildings and how to approach inner-city residential progress.
 1. Intensive residential development in the city centre – means - Trafalgar St, Collingwood St, Waimea Rd, Halifax St, Bridge St, Hardy St, Montgomery carpark, Rutherford Mews, Church Lane, etc.
 2. People living in the heart of the city-centre would create energy and a vibrancy from morning thru evening, a place where we are drawn, to want to be, be it single people, families, tourists, students, lonely people, older people, young people, foreign students, all socialising and coming out to meet friends, family, colleagues, shopping for dinner, eating on the way home from work, engaging in community, a city with a heart full of residents.
 3. Day after day people in town spending, shopping, visiting museums, markets, buying ice-cream, fishmongers, cheese, shops, chiropractors, restaurants, walking to the library – at all times of the day – and evening – as the numbers of people create a safety, it feeds off itself. Bikes are encouraged. Cars not so much. This helps to create a more vibrant and more sustainable inner-city pollution.
 4. **Encourage banks**, to share/sell/ rent all their “unused” floor space with other compatible businesses – and sell/hire/rent upper floors to residential. Bank costs could go down as a result. The banks could then then put their new found funds from renting space they don't now need into supporting diversification plans within their banks/buildings to create residential housing. A win for the people and a win for the face of banking – in lieu of the great profits they make - good PR – win/win.
 5. Put in place regulations to prevent people, real estate neighbours (and others) from buying more houses in their street, inner-city - Is there a capping – a register? Encourage them to buy further out of town and leave houses in town for people wanting to buy there and live and be part of a community.

NDAS: 539570224-16977

6. Move the many car sales yards, so many on premium sites, many on a city centre main street corner in town – probably 50% of the town is taken up ‘selling cars’. - from Haven Road down to Victory Square Turners car auctions. The old Hub building now has council cars parked there and we all struggle to find a park. People will happily drive to buy a car, so the car yards can be further out of town on land that doesn't compromise inner city residential housing. Imagine freeing up all those spaces for people to live!!!. No shortage of land then for people and an increase in city energy.
7. **Secondly – Create suburban hubs** - I would also encourage the City Council to work with people in the wider Nelson regions, and Nelson suburbs and people in all neighbourhoods , The wood, Nile Street, Atawhai Drive, Waimea Road, Bishopdale, Victory etc. Working together to develop these areas as little suburban hubs, little shops, pub, café, florist, take-away, fish n chip shop, hairdresser - a well thought out, community-minded, inclusive to all, overall plan for development and growth. Nile street is a good example. Milton Street another. Victory shops, park, area – develop these hubs.
8. **Buses** - We have an incredible bus system now – let's use it to move people in and around and back to the suburbs and the city, to their schools, doctors, lessons, concerts, movies and the cafes and restaurants.
9. **The local community-led based meetings** showed an enormous amount of enthusiasm to bring people together, to engage community, to explain and help break down what Plan Change 29 is about. To discuss and come up with options and encourage community to make this work, and have input in the development of a beautiful well thought out city, before we hand it over to ‘developers’. There was great insight and intelligence shown, collective commitment to well-considered ideas, great forward thinking, and a real energy to support working in harmony together with other individual citizens. An intelligent understanding and knowledge of what is happening in other towns, cities and countries, who already have or are working on intensive residential housing development, and community planning ideas that could be used in Nelson. . Not a Nelson – versus – Richmond mentality. Who invented that??? That's not how we thing.
10. To suggest the RMA process can be a” little daunting” – is seriously out of step with people's reality - It is well beyond the average person – that being most of us!!!! !!!!! and then to suggest - That you have appointed a “Friend for US” to help us to defend ourselves against ‘the developers.” When we should be in the position of having to defend ourselves. You should be our voice !!!! People are pro-residential, well—thought out, affordable housing.
11. I attended the public meetings with neighbours my age in our 60's, and with my 85 year old neighbour and her recently widowed friend. To say we are struggling to fully understand all the implications of Plan 29 – concerned what might happen beside us, the feeling of helplessness and worry – people are stressed!!!!. We all thought this was where we would enjoy our latter years of life and now we live in fear of what could happen to our privacy, sunlight into our house, people overlooking our little back gardens, the noise, the traffic, and we know we are a tiny voice – and we don't have control over what will happen.
12. Speaking for myself – in my sixties, now separated, in an old villa needing an expensive upgrade, and living next door to a run down house owned by supermarket proprietors, and the house next door to that possibly an easy target to be pulled down and developed. Being

in the red hot zone - I'm probably the perfect candidate for developers to build next door to 6 stories if they so desire. So do I gamble and spend my savings fixing up my old cold house next year, only to have less sun than already do, and be stuck beside 6 stories, 1 metre from my boundary, no parking, etc etc. And end up in a continuous struggle to fight it. It is frightening, and anxiety inducing.

13. Consents, consultation, permits, even if one were diligently paying attention to the notices – which might be published or not - the scope of matters of how/what we could challenge the developers on via submissions/court – is confusing, time consuming, would be costly, and possibly could be resolved with a slight change, a tweak, by somebody, negotiated to fix things so the building goes ahead, unbeknown to us.

I am strongly opposed to all of the proposed policies and rules in PC29 for the following reasons:

Remedies sought:

1. PC29 should be withdrawn and good community engagement and neighbourhood planning completed before it is re-notified in the future.
2. If substantial changes occur to PC29 as a result of the submission / hearing / decision process then PC29 should be withdrawn and re-drafted.
3. Alternatively, if PC29 is retained, the Policies and Rules must reflect the interim and short term (10 year) position and demand / capacity analysis rather than a 30 year long term time-frame. If PC29 is retained:
 - a. The HRZ must be reduced. High Density Residential policies and rules allowing up to six storey residential building developments must apply only to the Inner City and Inner-City Fringe Zones.
 - b. The General Residential Zone (GRZ) Policies and Rules to apply beyond the Inner City and Inner-City Fringe Zones (ie: delete the MRZ zone).
 - c. Only rules and their status that are required by government legislation are to be retained in PC29 with all other rules for the construction of multi-storey residential developments within all Residential Zones to be Discretionary Activities or Non- Complying status and that the application be Notified.
 - d. Include a rule for multi-storey residential applications in the HRZ & GRZ requiring applicants to provide an analysis of the social and amenity well-being impacts of the development.
- Neighbourhood planning, as referred to in the FDS, to be undertaken prior to PC29 becoming operative.

I don't wish to speak.



Loretta Hogg
5 Shelbourne Streety, Nelson, 7010

loretta@mikimo.nz

Sarah Holman's Submission

Proposed Plan Change 29

30 October 2023

I wish to be heard.

I oppose Proposed Plan Change 29 in part.

Cities have the capability of providing something for everybody, only because, and only when, they are created by everybody – Urbanist Jane Jacobs

1. Summary of submission:

- I. Consultation has been inadequate for a Plan Change of this magnitude and the number of documents; the time period has been too short, engagement with affected communities has been insufficient.
- II. The Hearing Panel makeup needs to be reviewed due to perceived conflicts of interest.
- III. This is not sustainable, precautionary planning.
- IV. The Plan Change is not informed by adequate information or analysis.
- V. It does not fit with Smart Little City objectives (Nelson City Council Long Term Plan 2021-2031).
- VI. It is inconsistent with:
 - a. Te Taihu Intergenerational Strategy
 - b. Te Ara Whakatū, Council's Spatial Plan
 - c. Future Development Strategy
 - d. Taonga Tuku Iho Strategy
- VII. Provisions for intensification are based on quantitative not qualitative measures.
- VIII. PPC29 has the potential to seriously affect the character of Nelson, a key attribute with economic, social and environmental consequences; amenity and value in the CBD and residential areas will be lost if it goes ahead.
- IX. This level of proposed intensification is not mandatory under NPS Urban Growth; Nelson is Tier 2 not Tier 1.
- X. Some level of intensification is required but this is a disproportionate response to established need and the local market.
- XI. The link between intensification and affordability cannot be proven; the proposal does not demonstrate that it will result in affordable houses.
- XII. No social impact study has been undertaken to support the proposal.
- XIII. Population projections on which PPC29 is based are flawed.
- XIV. Heritage resource analysis is inadequate, and in some cases, incorrect.
- XV. Non-renewable heritage resources will be lost as a result of deletions from the current register in the Nelson Resource Management Plan through the Plan Change.
- XVI. It will result in unsustainable consequences including loss of embedded building materials (construction waste makes up 40% of landfill), increased hard surfaces and

need for increased stormwater capacity, the loss of green space and degradation of biodiversity.

- XVII. It will result in adverse effects on current housing market in Nelson due to uncertainty.

2. Decisions sought:

Intensification

- I. The withdrawal of the intensification provisions of Proposed Plan Change 29.
- II. Undertaking a new precautionary, staged approach to planning a level of intensification as signalled in the FDS evaluation reviews.
- III. Development of new intensification plans to be based on:
 - New best practice, peer reviewed, population projections
 - A full economic study of proposed intensification (residential and commercial)
 - Social impact study
 - Quantitative impact assessments (e.g. amenity, character, effect on communities)
 - Sustainability impacts
 - Effect on heritage resources
 - Meeting Council's legal obligations with respect to heritage resources
 - An independent character assessment of Nelson, encompassing listed heritage areas in NRMP
 - Development of a cohesive, design strategy for Nelson to inform intensification provisions.
 - Development of neighbourhood spatial plans with the community (referred to in Future Development Strategy but not undertaken before Proposed Plan Change 29 was notified).
- IV. Remove the proposed HDZ and MDZ from all land currently zoned residential and reinstate amenity controls in NRMP including daylight and setbacks.
- V. Medium density zoning to be restricted to the Inner City and Inner City Fringe Zones.
- VI. Plan for regular reviews of the FDS to incrementally provide for intensification if demand is established.
- VII. Retain the daylight controls in NRMP Appendix 17 that provide sunlight and daylight within Montgomery Square, and along Hardy and Bridge Streets.
- VIII. Highest level of residential intensification outside current CBD to be two x 2 storey houses on one section with amenity controls and resource consent required.
- IX. Develop rules to allow 2 dwellings within one house in larger properties with amenity controls in NRMP; review Development Contributions Policy to support this.
- X. Notwithstanding the above, retain existing amenity controls in residential zones, including setbacks and daylight controls.
- XI. Reinstate Trafalgar Street view shaft.
- XII. Retain an Urban Design Panel and make use of it mandatory for discretionary consent applications.

Heritage:

- I. The withdrawal of the heritage provisions of Proposed Plan Change 29.
- II. Taking a new precautionary sustainable approach to non-renewable heritage resources and the effect of the proposed changes to heritage policies and rules and the wider proposal for intensification.
- III. Undertake a comprehensive, independent, updated assessment of Nelson's heritage following best industry practice:
 - a. based on John Wilson's Thematic Overview
 - b. By a qualified multidisciplinary team including a conservation architect, historian, archaeologist and heritage planner, and using a Māori heritage advisory group.
 - c. Ensures all inventory information is correct to support listings, and any errors in assessments are corrected.
- IV. Undertake a comprehensive, independent review of all listings proposed to be deleted.
- V. Replace proposed assessment criteria with best practice complete criteria, singly listed rather than pairs.
- VI. List all C listings as category B until all of the listings have been reviewed (Plan Change increases imbalance of listings being houses as opposed to for example, commercial buildings, post World War II buildings).
- VII. Undertake a comprehensive independent study of the effects of this proposal on the character and heritage buildings of Nelson that informs changes to proposed rules and policies (on and off-site height, boundary set back, daylight angles).
- VIII. List all Heritage New Zealand places, areas and wāhi tapu.
- IX. Retain the Inner-City Heritage Precinct, updates the design guide.
- X. Retain the Wakefield Quay Heritage/Character Precinct, updates design guide.
- XI. Retain the Church Hill View Shaft.
- XII. Reassess the Fairfield/Nelson South area as a character precinct with additional protections (addressing requests in submissions to the Draft Nelson Plan 2020).
- XIII. If an independent assessment concludes that other heritage precincts should be established revise PPC29 to include policies and rules to do so.
- XIV. Ensure policies and rules protect heritage values.
- XV. Appoint qualified and experienced experts to review consent applications for heritage listed buildings e.g. conservation architect, archaeologist, Māori heritage advisor as this expertise is not available in-house.
- XVI. Commission an independent study of the effects of this proposal on the character and heritage buildings of Nelson and changes to rules and policies to reflect the conclusions e.g. Porirua City Council commissioned a study of heritage buildings and assessments of the impacts of intensification and altered rules and policies on this basis (on sight and off sight height, boundary set back, daylight angles).

Hearings Panel

Replace the 2 councillors on the hearing panel with independent commissioners due to perceived conflicts of interest.

3. I support:

- I. MDZ intensification in the Inner City Centre and Inner City Fringe zones **only**, if subject to an overall design guide developed in conjunction with the community.
- II. A level of intensification that would allow an additional 1 storey housing unit on a residential section with careful amenity controls in line with those in the current Nelson Resource Management Plan.
- III. Removal of heritage category C and proposal to replace with a two tier ranking system.
- IV. The proposed Richmond Avenue heritage precinct.
- V. Some adaptive reuse measures for listed heritage properties e.g. solar, earthquake strengthening.

Commentary

4. Inadequate Consultation

The breadth of change proposed is dramatic. There is a considerable amount of information to study before being able to respond meaningfully to the proposal.

For this reason, non-statutory consultation prior to the notification of the Plan Change was inadequate.

Public meetings and the development of neighbourhood spatial plans could have considerably reduced the number of submissions and concern in the community. Nelson is a very creative, skilled community and has the expertise to produce informed plans for a level of intensification whilst retaining Nelson's unique character and amenity.

The original submission period was too short, and only extended close to the original deadline for submissions.

5. Inadequate information to develop Plan Change

- The population projections used to set the level of housing demand are flawed.
- No overall design guide has been developed for Nelson.
- No spatial neighbourhood plans have been developed in consultation with the community.
- No specific areas ripe for redevelopment have been identified.

6. Intensification level is not mandatory nor is it required

This level of intensification is not required by National Policy Statement – Urban Growth because Nelson is a Tier 2 urban area. This Plan Change is adopting a Tier 1 level of intensification.

The Proposed Plan Change response to the need for more housing is disproportionate to demand needs. Demand for this level of intensification typology is not established in most of the residential area of Nelson. Reference the Barker & Associates s.32 analysis.

The apartment market is not currently well established and is unlikely to experience any significant growth in the short-term. Even allowing for higher rates of demand substitution and development of this market in the future, there is still a relatively small projected demand.

We consider that in some locations the spatial extent of the HDR zone is large relative to the local market size and may result in development that is less integrated with the central node of amenity in the short to medium-term.

The Future Development Strategy refers to being able to be responsive to population projection changes, whether up or down. The cautious approach would be to increase intensification relative to medium projections not high growth and to start in the centre of the city.

PPC29 allows large areas of existing standard residential land (as far as Tukuka Street) to be blighted when Council's section 32 report envisions only sporadic uptake of 6 storey apartments over 30 years. This will result in apartments springing up in random locations,

with all households/property owners living with the uncertainty of when a developer might buy the neighbouring house and forever reduce their amenity.

The Inner City Zone (PPC29) has a lot of vacant space with concerns about its economic viability.

Currently 44% of the Inner City Centre zone is used for car parking (see Nelsust submission) which could be consolidated in a more land efficient way. Increased residential activity is likely to activate more demand for retail and hospitality services. High density zoning is not required in residential zones when this space is available.

High Density Zoning is inappropriate to the scale of Nelson's character and neighbourhoods. For that reason high and medium density zones in PC29 and I wish to see these areas rezoned general residential zone.

I support a level of intensification that would allow an additional 2 bedroom housing unit on a section with careful amenity controls in line with those in the current Resource Management Plan.

There are some very good examples of residential intensification in Nelson, Stoke and Richmond. These have been carefully planned and designed. Most are 1, 2 or 3 storey where a series of town houses replace old poorly insulated, poorly built houses. These areas could be identified through neighbourhood spatial planning, this area of work is a major omission from the development of PPC29.

Apartments, at most 5 storeys high, are not providing affordable housing. They are architect designed and expensive e.g. Betts, Malthouse. The FDS says that 'it cannot deliver affordable housing but it sets out how council intends to supply land'.

An additional provision to allow larger houses to be able to be turned into 2 dwellings would be a cheaper and cost effective way of increasing housing units. This would require a review the definition of dwelling and the Development Contributions Policy. This would allow sustainable use of larger homes and mean that people who have lived in a neighbourhood do not have to leave their social support networks, something Nelson residents are proud of.

7. Character

The NPS Urban Growth refers to growing cities 'providing well-functioning environments'. There is little in this proposal that suggests a well-functioning environment will result, it is focussed strongly only on the supply of land.

Nelson relies on its unique character and built environment to attract residents, visitors and investment. The FDS states 'some areas have a unique character that should be maintained'. Aside from heritage precincts (and with two being proposed to be deleted) no character areas have been identified through the Proposed Plan Change process.

The Proposed Plan Change 29 has potential to decimate the attractiveness of Nelson to residents, visitors, investors and high value employees – it could allow it to become 'anywhere' town. It is in effect not careful, measured planning.

Allowing such high levels of intensification without the need for a resource consent application is not a precautionary approach to change. The FDS refers to 'quality

intensification within existing neighbourhoods'. This is very unlikely to occur when so few restrictions are proposed.

The Section 32 RMA Barker & Associates memorandum – Zone Extent, Development Standards and related provisions – Urban design considerations talks of the development community being able to deliver modular standardised terraced and apartment typologies (section 6.0). This will erode the character of site-specific solutions.

This report also notes that a review of the Medium Residential Density Standards¹ has highlighted some potential urban design issues (so it would be fair to assume this would be more pronounced in HDZ). In 7.0 it is noted that a *more enabling* daylight admission standard is required in concert with permitted height limits in the HDZ i.e. that access to daylight is eroded.

Even with conservative estimates in the commentary on the proposal being likely to lead to 15% sites being developed over 30 years, 'pepperpotting' will be a risk, meaning that no homeowner can be sure that they will not be affected by a more intensive building adjacent to them. This will potentially destabilise the housing market as the likelihood of being next to this level of intensification becomes a lottery.

Ironically, the Proposed Plan Change is likely to make large areas of Nelson unattractive to people seeking to move here. As a result, the growth forecasts on which PC29 is predicated will not be met because the character of the city will change so much. Equally, if people do buy a house here, they are at risk of a 6 storey apartment being built next door at any stage, as of right. PC29 fails to take account of this Catch 22 in its population forecasts.

The proposal removes important view shafts that have been in place for many years. They contribute to the character of Nelson. There seems to be no reasonable justification for this.

It is vital that the Urban Design Panel is retained and utilised.

8. Heritage

This Plan Change does not protect historic heritage, rather it removes the protections on many buildings and does not address gaps in the historic built environment that should be protected.

Throughout the world cities embrace their heritage and new buildings.

Many of Nelson's heritage and character buildings contribute to our City's point of difference. Visitors and residents are drawn to the built character of Nelson. We have a high proportion of old buildings that are in the main well maintained by their owners and contribute to high real estate values.

Character and heritage contribute to the vitality of the CBD. Nelson is the key urban area in the Tasman region that tourists visit. With the removal of the Inner City heritage precinct and design controls Nelson will become like anywhere else and lose its unique character.

¹ Medium Density Residential Standards: A guide for territorial authorities | Ministry for the Environment

High value businesses attract people from all over the world because of the lifestyle and amenity offered here. Plan Change 29 will negatively affect the ability of Nelson based businesses to employ high calibre staff.

In 2010 a comprehensive study of Nelson's heritage was carried out for Nelson City Council by conservation architect, Ian Bowman, and archaeologist, Amanda Young. In addition, a Thematic Historical Overview of Nelson City² by Dr. John Wilson identified that several key categories of heritage were missing from the predominately residential list in the NRMP. Council spent considerable resources on this work and it could be updated.

The work for this Plan Change evaluating the listed property in the NRMP has been carried out by one person, a historian, not by a disciplinary team. The methodology was developed in 2015 (section 32 report) and needs to be updated due to this time lapse. The analysis is not comprehensive, or in some cases, correct.

A significant number of properties are deleted from the Appendix 1, as are the Inner City heritage precinct and the Wakefield Quay precinct.

Although Te Ara Whakatū, Council's Spatial Plan references heritage, this Plan Change removes heritage buildings that have been protected for years. This suggests a misalignment between the Plan Change with the Spatial Plan.

There is no doubt that many character and heritage buildings could be lost as an intended or unintended consequence of this proposal. e.g. older houses in middle of section would have to be removed to allow access to intensify.

9. Climate Change

If carefully planned a level of intensification can provide a measured response to Climate Change e.g. by siting more intense housing within/as close to the Inner City Zone as possible, next to walking, cycling and public transport routes and workplaces.

There is considerable embedded energy in existing buildings and a depletion of resources when new ones are built, particularly if they are of poor quality with maximum profit in mind.

The uptake of solar power will reduce if these proposals result in this level of density and there is also likely to be a detrimental effect on solar power companies:

- Daylight controls proposed in the HDZ and MDZ would be available to new build extensions or additions to existing residences – house would only have to comply with the new setbacks and daylight provisions.
- Loss of access to sunlight (which is provided for in the current NRMP controls, not just daylight) will also result in shading of houses and use of more energy for heating.

This Plan Change does not take into account the embedded existing resources and commitments Nelson City Council has made to Climate Change mitigation matters.

² [Draft-Nelson-Plan-Technical-Report-FINAL-DRAFT-thematic-historical-overview-of-nelson-city-OCT2011.pdf](#)

10. Quality of life

Without stricter rules and policies, and the need for resource consent for intensification projects, it is inevitable that quality of life for many Nelson residents will be affected.

Hospitality businesses in the CBD may lose sunny outdoor dining due to the proposals to allow an increase in building heights and remove the daylight controls in Appendix 17 of the NRMP.

Similarly, the daylight controls that provide winter-time amenity for the Nelson Market are proposed to be removed from Montgomery Sq. The Nelson Market an important attraction for locals and visitors to the city. Without the current daylight controls the winter amenity of the Market could be significantly compromised.

Daylight and outside space will be minimised. Nelson is renowned for quality of life and sunshine hours. This proposal undermines that considerably.

Thank you for receiving my submission.

Sarah Holman



sarah.jane.holman@icloud.com

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: S618

Date Received Stamp:

31/10/2023

NDOCs No: 539570224-18148

*Required

Submitter Details

Full Name*	Ren Kempthorne		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	kempthorne@xtra.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.
- ☐ 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.

Ren Kempthorne

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)

31/10/2023

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)

This is my submission on PlanChange29, as the address given in OurNelson cannot be found.

Some new housing is required for the current population. But the estimated population growth unjustified. Building higher is sensible, but specific resource consent is essential for the sake of context and design; a building must look good and relate appropriately to others.

Thus Nelson can remain a "smart little city" as Council calls it, not become a developer's paradise.

NB We should not aspire to be the northern Queenstown, which is why we don't need a gondola!

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).

Amend as above.

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.

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S619
Submitter Name	Charles Douglas
Submitter first name	Charles
Submitter surname	Douglas
Submitter is contact	Yes
Email	charleswilliamdouglas@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose		High Density Zone on Tahunanui Hills o be reverted to Medium Density, if not general residential zone

Firstly, I understand that in order for Nelson to grow - more accommodation is required to house people. This includes a mix of different housing, in different areas at different price points.

That being said, it seems a little outrageous that a small, seemingly random blob of the Tahunanui Hills has been zoned for High Density. I provide the following reasons but also have some possible solutions to offer.

Reasons to remove high density zone from Tahunanui Hill

1. The area in question is subject to a general slip zone. It seems confusing to me that we would encourage building up in areas we already know are prone to more inherent risk.
2. The roads are local roads... all of them! Tosswill Road and Tamaki Street are local roads and aren't designed to take a lot of traffic. The community has fought hard to put speedbumps in there to reduce the traffic and speeds given the number of accidents on this stretch of road. Intensifying in this manner would be counter-productive in this area.
3. The nearby zone across the road from Tosswill road have been zoned as Medium... however with High Density across the road, why anyone would actually want to develop their property given the risk of being built out. I should note I have a subdividable property on the other side of the road (56 Tosswill Road) and I'm interested at subdividing but would rule that out straight away if High Density was to stick around.
4. Few amenities in this area. Tahunanui Hills doesn't have lots of things readily available to it. The closest things would be down on Tahunanui Drive (which is a state highway and has a few safe crossing points). It's also steep coming back up the hill which means for a lot of people walking / biking isn't an option. This means they would often need to use their vehicles to access the few nearby amenities... which causes other issues.
5. Rates would need to be adjusted, massively. Right now Tahunanui Hills is a

pretty decent area to live in. The rates are reasonably high due to the property values. If those properties on the hill were to lose (or risk losing) their view, that would result in major reductions in "land value" and therefore rates would drop significantly. As someone who lives on the hill, I can tell you it's not worth living on a hill if there is no view. You're better off living on the flat.

Alternate solutions

1. Tahunanui Flats are crying out for intensification. Think about Tamaki Drive in Auckland (Mission Bay, Kohimarama etc.) or Mt Manganui's Marine Parade. Both have been built up and intensified massively with apartments, town houses etc. We can't Tahunanui Flats aim to be more like them? The existing housing stock there is also some of the worst in Nelson and therefore most conducive towards removing and rebuilding. By the way, if done properly over say 10 - 15 years, this area of Nelson could be some of the best in the region.
2. Does Nelson really need apartments up to 18m high? Serious question but if building 3 story units/townhouses etc.. I can imagine most people would prefer that sort of living in a "small city" to apartments. Therefore, I think High Density should be zoned sparingly which would encourage more moderate intensification of the aforementioned variety which I think appeals to more people.

I am happy to be contacted to discuss any of my objections or proposed solutions.

The Nelson City Council wants your opinion.
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Name ROGER G. SOWMAN

Daytime phone 03 5489555

Address _____

Organisation represented (if applicable) _____

Do you wish to be heard in support of your submission? ☐ YES ☒ NO # of pages /

_____ If you do not tick a box we will assume you do not wish to be heard.

Public information

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

The consultation/proposal my submission relates to:

NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29.

My submission is: IN ITS PRESENT FORM I REJECT PLAN CHANGE 29 ENTIRELY, BUT IN PARTICULAR I AM VEHEMENTLY OPPOSED TO THE ZONING OF ESTABLISHED RESIDENTIAL AREAS TO PROVIDE FOR BOTH MEDIUM AND HIGH DENSITY HOUSING. I DO NOT BELIEVE NCC AND CITY PLANNERS HAVE GIVEN ADEQUATE ATTENTION TO BETTER UTILISATION OF UNDER OR UNDEVELOPED LAND IN THE CITY CENTRE AND CITY FRINGE. BEFORE ZONING EXISTING RESIDENTIAL AREAS FOR HIGH DENSITY HOUSING, CITY CENTRE AND CITY FRINGE NEED TO BE UTILISED. BECAUSE NEW APARTMENT BUILDINGS DO NOT HAVE TO PROVIDE PARKING I ASSUME COUNCIL DON'T WANT CITIZENS TO OWN CARS BUT PREFER THEM TO MOVE ABOUT BY WALKING, CYCLING OR PUBLIC TRANSPORT. THIS BEING THE CASE APARTMENT HOUSING IS BEST SUITED TO THE CITY CENTRE OR FRINGE SO WHY WOULD COUNCIL WANT TO RUIN RESIDENTIAL COMMUNITIES BY ALLOWING HIGH & MEDIUM DENSITY DEVELOPMENT IN SUBURBIA? PLAN CHANGE 29 NEEDS TO BE PAUSED UNTIL MORE HOMEWORK IS DONE ON THE ALTERNATIVES AND MORE PUBLIC CONSULTATION IS SORT. PLEASE LEAVE OUR BEAUTIFUL RESIDENTIAL AREAS ALONE WHILE CLEARLY THERE ARE MORE SUITABLE AREAS IN THE CITY CENTRE AND FRINGE.

Date 30 OCT 2023 Signature 

Office Use Only			
30/10/23		Submission Number	
		S620	
File Ref		INITIALS	

NDOCS: 539570224-16985

Help with making a submission overleaf...



Nelson City Council
te kaunihera o whakatū

PO Box 645 • Nelson 7040 • 03 546 0200
www.nelsoncitycouncil.co.nz

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 27/10/23
Sub No: 5620
Mdoc: 539570224-16985

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

Submitter:
Full Name: ROGER GILBERT SOWMAN
Address: ^

Telephone: 03 54 89 555 / 027 54 89 555
Email:

I do not obtain an advantage in trade competition through this Submission

~~I wish to be heard in support of my Submission at the Council Hearing~~

I **OPPOSE** the Plan Change; and particularly the following

1. the creation of a High Density Residential Zone (HDZ), that has a max height greater than 12m, as it is not mandated under NPS-UD 2020
2. the loss of the existing protection for sunlight to all properties, because it is a critical component of residential amenity in a city as it provides warmth and energy efficiency
3. The omission of any requirement to provide carparks in any new development

I **SEEK** the following decision from the Council

1. rear and side yard setback of not less than 1.5 metres
2. an amendment to ensure one car park is provided for each residential Unit in the areas presently proposed to be re zoned
3. that Council will prioritise housing growth and intensification within the inner City, before the current residential zones.

I 100% reject Plan change 29 in its entirety – but if it is not rejected then I would like to request the following change

I ask for the Council to remove the block of Domett Street/ Hardy Street/ Tasman Street and Nile Street from Plan 29 High Density Residential Zone (HDZ) and it be given the same classification as the other half of Domett Street/Bridge St block or The Wood area of Residential – Comprehensive Area/Residential Lower Density Area. This area should be removed due to the potential of flooding from the Maitai River and Brook Stream. This area should also be removed because the fault line is going through the middle of the block together with the whole block being in a liquefaction zone.

I ask that the Council complete further investigations into the flood hazard risks as I understand Tim Bayley of 52 Domett Street has shown that there is a large discrepancy in Tonkin and Taylors flood map overlay – Tonkin and Taylors report has been used as the basis of plan 29 and could be misleading to Nelson residents if it is found to be inaccurate.

It should be noted that after a report by Tonkin and Taylor, showing possible flooding from the Brook Stream the Kainga Ora development at 107 Nile St has been made to lift it's buildings 700 mm above ground. This flood report was not shown on any Plan29 flood overlay maps.

For further in-depth information please refer to our neighbourhood group submission.

Other comments or concerns I have about Plan Change 29

CONCERNED THAT OPPORTUNITIES FOR HIGH DENSITY HOUSING WITHIN THE CITY CENTRE AND CITY FRINGE HAVE NOT BEEN FULLY EXPLORED.

Suggestion for how Nelson could solve it's 'so called' housing crisis

MORE WORK NEEDS TO BE DONE ON BETTER UTILIZATION OF LAND WITHIN THE CITY CENTRE AND CITY FRINGE FOR HIGH DENSITY HOUSING RATHER THAN ENCRDACHING IN ESTABLISHED RESIDENTIAL AREAS. NCC SHOULD BE ENCOURAGING DEVELOPMENT OF UNDER DEVELOPED LAND WHICH THERE APPEARS TO BE MORE THAN SUFFICIENT OF.

I acknowledge that my name and address are required to be made publicly available

Submitter signature

Date 24 Oct 2023

to be delivered or emailed to environmental.planning@ncc.govt.nz by 4pm 31/10/2023

Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S621
Submitter Name	Paula Holden
Submitter first name	Paula
Submitter middle name	Mary
Submitter surname	Holden
Submitter is contact	Yes
Email	paulaholdennz@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Heritage	Heritage objectives, policies and rules	Support in part	The heritage home at 19 Dodson Valley Road is an architecturally rare & significant example of a stately villa, with wraparound verandahs, beautiful columns & unusual ceiling to floor double hung windows. Built circa 1893 for the Black family (Draper of Nelson). Please add this heritage home to the Nelson Heritage List (category B).	Architectural significance (category B): to add to the Nelson Heritage List - 19 Dodson Valley Road, Atawhai.
Residential Zones	High Density Residential Zone	Oppose in part	The proposed height of 6 storeys as of right is too high - this is likely to change the character of Nelson to the detriment of it's community with sun & privacy particularly effected.	Reductions to maximum heights requested.
Residential Zones	Medium Density Residential Zone	Oppose in part	Allowing buildings to be 4 storeys as of right is too high due to effecting the sunlight and privacy of nearby residents.	Reductions to maximum heights requested.

Transport	Transport objectives and policies	Support in part	Allowing some densification in the inner city & fringe in particular will allow active transport to be more viable & accessible.	Transport reasons for densification
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Documents included with submission

Document name	New Heritage Listing Plan 29
File	img9265.jpg
Description	Side view of 19 Dodson Valley Road, Atawhai, Nelson.



Online submission

This is a submission that was made online via the Council's website.

Submitter No.	S622
Submitter Name	Jonathan McCallum
Submitter first name	Jonathan
Submitter middle name	Mark
Submitter surname	McCallum
Submitter is contact	Yes
Email	jono.mccallum@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support in part	I agree with the intent of the plan change but think the plan could do more to encourage the development of townhouses in medium and high density zones. The proposal no longer allows people to build up to the boundaries (as of right) in the medium and high density areas. This leads to townhouses not having side walls touching, even in the highest density residential areas. Currently you can do this in all residential zones as long as you fit under the recession planes.	I request that the current ability to build right up to the side boundaries be retained in all zones. In at least the medium and high density zones, you should be allowed to build 2 storeys high up to your "Northern" boundary as of right, and once your Southern neighbour has done that, you are then allowed to build 2 storeys high up to that boundary too.
Entire Plan Change	General support	Support in part	I support intensification, not greenfields expansion, for the revitalisation of our city center, to reduce transport emissions and to enable affordable housing. I generally support the reasoning given by NelsonTasman2050 in their submission.	To progress the drafting of comprehensive neighbourhood plans.