

RMA Submission Form for Publicly Notified Plan Change 29 *Housing and Hazards*

30 October 2023

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

OFFICE USE
Submission No: S710
Date Received Stamp: 30/10/2023
NDOCs No: 539570224-17719

Submitter Details

Full Name Jenny Bennett and Aaron Thompson
Organisation
Contact Person Mark Lile
Postal Address Landmark Lile Limited, PO Box 343, Nelson 7040
Mobile Phone
Email mark@landmarklile.co.nz

Trade Competition

I/we **could not** gain an advantage in trade competition through this submission.

Council Hearing

I **do** wish to be heard in support of my submission.

I would **not** be prepared to consider presenting my submission in a joint case with others.



Signature of Submitter
(or authorised person)

Dated: 30 October 2023

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 submissions and the relief sought are as follows:

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

Submissions

This submission is made by Jenny Bennet and Aaron Thompson as owners and occupiers of 136 St Vincent Street, Nelson. As shown on the aerial photo below, this large residential site (1692m²) is ideally suited to accommodate some of the residential growth that is anticipated in the coming decades. This part of the City is also close to schools, recreational amenity, cycleways, commercial and employment opportunities that provide for an ideal location for higher density living. The topography also provides the opportunity for high density without impacting significantly on other properties. In the context of this site and the wider valley, PC29 is therefore fully supported.



The site at 136 St Vincent Street, Nelson City

It is in our opinion that the area of St Vincent Street and Rimu Street is an area that is appropriate for the high density as described in PC29. Toi Toi is a family oriented, multicultural community with many green spaces, an excellent park, and walkways and cycleways that ensure the community is well connected, safe, and accessible to amenities. The nature of the community is very social and there is, with increased housing, an opportunity to further develop the social and economic attributes of the area. Increasing housing in this area and ensuring that this is affordable and close to schools and green spaces will support diverse communities, including migrant communities, to live together in close proximity. In addition, the increase in housing will lead to an increase in amenities such as takeaway outlets, eateries and shops. This provides an opportunity for family run businesses to operate locally, supporting economic outcomes.

Victory Primary School is a high-quality learning environment that caters for a diverse community. Central to the school is an exceptional bilingual education pathway that connects onward to Nelson Intermediate. A priority for increased housing in this area could offer Iwi commercial opportunities to invest in housing for whānau, located within walking distance of Māori Medium Education. Furthermore, the area is located close by to the hospital, a place of work for many in the community. Offering safe, affordable accommodation that allows whānau to live closely connected to each other, to places of learning, and to education is fully supported.

This submission identifies the specific provisions and the additional reasons for these submissions in the table that follows:

Planning Maps		
	Zones	Support/oppose
Map	High Density Zone <u>Reasons</u> The site at 136 St Vincent Street is ideally suited to high density zoning due to its topography, proximity to schools, recreational amenity, cycleways, commercial activity and employment opportunities. <u>Relief Sought</u> Retain High Density Zoning.	Support

Ch.5	District wide objectives and policies	
DO16	Zones	
DO16.1.1.iv	High Density Residential Zone <u>Reasons</u> As above, appropriate area for development to support the social and economic outcomes of a diverse community, close to high quality education and green spaces/accessways. <u>Relief Sought</u> Retain zone description as provided in DO16.1.1.iv.	Support

Volume 2		
Ch.7	Residential Zone	
RE1.8	High Density Residential Zones <u>Reasons</u> As above. We acknowledge that this particular area of Toi Toi is appropriate for the nature of high-density housing, whereas in other areas a more site specific approach is required. <u>Relief Sought</u> Retain Policy RE1.8.	Oppose

	Rules – High Density Residential Zone	
RER.19B	Residential units	Support
	<u>Reasons</u> Providing affordable housing options in an area with many close-knit families and cultural groups, allowing for connection and community. Many green spaces and parks/walkways to support community events and wellbeing.	
	<u>Relief Sought</u> Retain Rule RER.19B	
RER.19J	Maximum building height	Support
	<u>Reasons</u> Support for this area of St Vincent Street/Toi Toi due to the topography of the area and opportunity for terraced/staggered housing into the hill.	
	<u>Relief Sought</u> Retain Rule RER.19J.	
RER.19K	Daylight admission	Support
	<u>Reasons</u> As above. For the particular area of St Vincent Street/Toi Toi, this is appropriate.	
	<u>Relief Sought</u> Retain Rule RER.19K.	
RER.19U	Residential unit – minimum size	Support
	<u>Reasons</u> This standard is considered to provide a high degree of flexibility which will serve a diverse range of needs.	
	<u>Relief Sought</u> Retain Rule RER.19U	

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: S711

Date Received Stamp:

30/10/2023

NDOCs No: 539570224-17721

*Required

Submitter Details

Full Name*	Ian Walter Goss		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	iangoss2000@gmail.com

Trade Competition*

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

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

Council Hearing*

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

Public information

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



Signature of Submitter*

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

30 October 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

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)

The following comments are submitted on the basis that the current process is a community consultation process which seems to have been missed out of the Plan Change procedure. I oppose the Plan Change as presented in its entirety. The scale of PC29 is such that it is impractical to submit on a provision-by-provision basis and it is unreasonable to expect this given the volume of material included.

1. The proposed Plan Change is very wide ranging and is presented as an EPlan which may be appropriate for plan implementation but has the effect of obscuring issues from reviewers and makes specific provisions interlinked with others. This is unhelpful in terms of responding and the EPlan presentation is premature for the consultation phase and has clearly taken considerable effort to compile. It also give the impression that PC29 as presented is considered *fait accompli* which is apparently not so?? Council comments and requests for input suggest that the process is presently in a consultation phase rather than the lead up to a hearing. Why has the status not been properly clarified?
2. It is understood the Plan Change has been initiated as part of a required review, and also in response to a Central Government requirement to consider the accommodation of near-term population growth. The outcome is a proposed PC29 that focuses on the population issue and presents one option intended to achieve this. I accept that intensification is the likely requirement to achieve this result but the solution advanced to achieve this is unstructured and unmanaged development. What other options were considered and why were they not presented and consulted on before PC29 was publicly notified?
3. The solution proposed does not consider effects on the community (social or economic), and existing property owners in particular. Costs related to reduced property values would fall on individual property owners by way of loss of privacy, loss of sunlight, and reduced saleability. When asked if there was any analysis of the cost a property owner would be exposed to in terms of capital loss if they have the misfortune to be adjacent to an intensification site, planning staff said this was not required under the RMA. Given that the Planning team is effectively employed by the community it has an obligation to have on hand and provide this information. The presented "How Plan Change 29 could affect you" makes no attempt to clearly identify these effects, nor the fact that the random nature of development encouraged means that no-one is excluded from this exposure. Property owners have paid rates and taxes but will become exposed to individual capital loss through no fault of their own and imposed by the acts of their own elected council. NCC is encouraging people to submit on PC29 but have neglected to provide any information or breakdown of these effects.
4. The Central Government push to accommodate an increased population needs to be viewed in perspective. Recent information (Sep 23) from the Department of Statistics shows that of the country's overall population increase in the last year about 85% (86,000 people) is from immigration. There are clearly benefits to the country from this change but at a Central Government level. Why should individual property owners in Nelson be expected to become exposed to capital losses arising from the effects PC29 as explained in 3 above? Has there been any consideration of funding these losses from Government contributions or rates?
5. PC29 as presented is described (by council staff) as allowing for "piecemeal" development. It relies on the abandonment a number of the principles of the current plan requirements which have been developed incrementally over a number of decades to provide a reliable framework that is acceptable

RMA Submission Form for Publicly Notified Plan Change 29

and workable for the community. The proposed PC29 replacement is expected to provide intensification in a haphazard and unpredictable manner without a proper consultation process, without regard for the victims of collateral costs, and with no apparent options for correction if actual development observed has undesirable outcomes. This is contrary to the concept of a formal plan which should have a clear and stated objective with a defined pathway parameters that can be monitored and corrected as changes advance. The chaotic development distribution expected is unlikely to result in the establishment of desirable living spaces, and hardly qualifies as a plan. There do not appear to be any corrective measures available to refocus, with development rates and directions in the hands of developers.

6. The platitudes rolled out in response to questions about the infrastructure capacities to accommodate intensification need to be revisited. Piecemeal development makes increasing capacity of the likes of wastewater and stormwater networks difficult, especially when there is no guide to where demand may be added. It is easy to say that developers' contributions will be used to solve these problems, but it is unlikely that they will be adequate to provide adequate solutions with incremental increases to the performance of aging conveyance, treatment, and pumping systems.
7. Claims that PC29 will provide access to the housing market environment for young people and new market entrants are misleading. New market entrants are likely to be restricted by circumstances to properties which have some degree of hazard designation or are in areas where they are more likely to be exposed to nearby intensification with related potential loss of value. Either of these issues can result in problems with maintaining insurance, or maintaining a property value that justifies mortgage collateral requirements. How is it intended to require and support affordable housing with the new developments?
8. Proposed PC29 proposes to combine recent hazard review results over the city area with the proposed intensification option, with no attempt to integrate the two components. A lot has been spent by council on hazard reviews and analysis – why has NCC not used this information along with their knowledge of the city's built development including infrastructure capacities, to identify areas most appropriate for intensification. This would allow for targeted planning processes and an approach befitting a Smart little city.
9. Issues such as climate change and sea level rise have not been given appropriate consideration. Managed retreat from various hazards and unexpected outcomes from climate change acceleration could affect the nature and magnitude of the hazards identified and influence the requirements for intensification.
10. The proposal to have the eventual hearing panel comprising a majority of sitting councillors in this situation is problematic. Professional impartiality is a rare commodity and appropriate for mediation, judgement, and dispute determination between independent parties. In this case the councillors are proponents of the Plan Change as presented, and their majority representation on the panel presents at the very least, a "bad look", with a perceived reluctance to concede ground established by the draft plan.

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).

I would like to see the entire proposed PC29 withdrawn and a revised approach that provides some recognition of the effects on and preferences of the Nelson community. Proposed steps in this process are as follow:

1. Remind NCC staff that they are employed by the Nelson community and have an obligation to consider effects of their proposals on the community and individual residents as well as to fulfil the requirements of the RMA.
2. Review and assess the recently established hazard information in relation to identifying areas appropriate (or specifically inappropriate) for intensification and establish a range of preliminary preferences including options for ensuring adequate infrastructure.
3. Engage professional urban design specialists to consider and develop options for these areas with consideration of issues related to land ownership, infrastructure capacity and durability, access to services etc.
4. Include proper consideration of climate change effects on the hazards already identified and the potential need for retreat from flooding, land stability issues, and sea level rise effects.
5. Develop a plan and strategy for the implementation of intensification of some of the areas identified as suitable, including community engagement, and consideration of options for obtaining the land to do so – eg the Dunedin City Council proposal for the gradual purchase of South Dunedin properties. Include analysis and information to the community on the effects on their environment, and potentially personal impacts.
6. Consider how the costs of intensification will be imposed, and whether these will be supported by Central Government or local rates.
7. Review options for improvement/upgrading of hazard prone areas – could they be made more reliable if reasonable areas could be vacated and remediated?
8. Following ongoing community consultation and nominal acceptance propose a “no surprises” plan change.
9. Ensure that a fair and accountable process is followed through the plan development and hearings.

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.

RMA Submission Form for Publicly Notified Plan Change 29 *Housing and Hazards*

30 October 2023

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

OFFICE USE
Submission No: S712
Date Received Stamp: 30/10/2023
NDOCs No: 539570224-17724

Submitter Details

Full Name ---
Organisation Nicholas Fisher & Tammy Pegg
Contact Person Mark Lile
Postal Address Landmark Lile Limited, PO Box 343, Nelson 7040
Mobile Phone
Email mark@landmarklile.co.nz

Trade Competition

I/we **could not** gain an advantage in trade competition through this submission.

Council Hearing

I **do** wish to be heard in support of my submission.

I would **not** be prepared to consider presenting my submission in a joint case with others.



.....
Signature of Submitter

(or authorised person)

Dated: 30 October 2023

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

☒	Entire Plan Change	☐	Papakāinga
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☐	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 submissions and the relief sought are as follows:

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

Submissions

This submission is made by Nicholas Fisher and Tammy Pegg as owners of 31 Tipahi Street, Nelson South. As shown on the aerial photo below, this large residential site (1163m²) is ideally suited to accommodate some of the residential growth that is anticipated in the coming decades. This part of the City is also close to schools, commercial services, the Hospital and recreational opportunities that provide for an ideal location for higher density living. In the context of this site and the wider area, PC29 is therefore fully supported.



The site at 31 Tipahi Street

In the opinion of the submitters, the close proximity of this site to the Hospital is considered to be of particular value and importance. There is a significant shortage of housing for staff at the Hospital. The submitters, whom both work at the Hospital, have long held aspirations to redevelop this site for residential purposes to help support hospital staff and contractors .

This submission identifies the specific provisions and the additional reasons for these submissions in the table that follows:

Planning Maps		
	Zones	Support/oppose
Map	High Density Zone <u>Reasons</u> The site at 31 Tpahi Street is ideally suited to high density zoning due to its topography, proximity to schools, recreational amenity, cycleways, commercial activity and employment opportunities. <u>Relief Sought</u> Retain zoning.	Support

DO16	Zones	
DO16.1.1.iv	High Density Residential Zone <u>Reasons</u> The zone description is considered to be appropriate. <u>Relief Sought</u> Retain zone description.	Support

Volume 2		
Ch.7	Residential Zone	
RE1.8	High Density Residential Zones <u>Reasons</u> This policy is considered to be appropriate. <u>Relief Sought</u> Retain Policy RE1.8.	Support
	Rules – High Density Residential Zone	
RER.19B	Residential units <u>Reasons</u> This rule is supported as it provides the opportunity for intensification in this part of Nelson South. <u>Relief Sought</u> Retain rule.	Support
RER.19J	Maximum building height <u>Reasons</u> Increased building height is supported as it provides the opportunity for intensification in this part of Nelson South. A reduction to this proposal height would also achieve the intensification objective. <u>Relief Sought</u> Either: (a) Retain rule; or (b) Reduce the height to a height if deemed more appropriate.	Support

REr.19K	Daylight admission Support <u>Reasons</u> As a part of increasing the building height it is also necessary to ensure the daylight admission parameters. Subject to what height is decided, it may also be appropriate to change this rule to align with the medium density standards. <u>Relief Sought</u> Either: (a) Retain Rule REr.19K; or (b) Change REr.19K to apply the medium density (PC29) daylight admission standard.
REr.19U	Residential unit – minimum size Support <u>Reasons</u> This standard is considered to provide a high degree of flexibility which will serve a diverse range of needs. <u>Relief Sought</u> Retain rule

Submission Form for Nelson City Council Plan Change 29

To: Senior Planning Administrator
RMA Plan Submissions
Nelson City Council
P.O. Box 645
Nelson 7040

Submitter:

Cherilyn Barber

E: cherilbarber@gmail.com

16/10/2023

I confirm that I **could not** obtain an advantage in trade competition through this submission

I **OPPOSE** The plan change and in particular 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, **especially** in the suburbs outside of the central city of Nelson.
2. The loss of existing protection for sunlight to **ALL** properties, because it is a critical component of residential amenity in residential areas, providing warmth, energy efficiency and the ability to grow fruit and vegetables.
3. The omission of any requirement to create carparks in any new development.

I **SEEK** the following decision from council:

1. Rear and Side Yard Setback of no less than 1.5m
2. An amendment to ensure at least one carpark is provided for each residential unit in the areas proposed to be rezoned, especially those in the suburbs.
3. That Council concentrates its housing growth and intensification to within the inner city and new developments, and not to existing residential areas.

I **REQUEST** that Council appoints an independent Panel to hear the submissions, and gives further NOTICE extending the Closing Date for Submissions.

I **ACKNOWLEDGE** that I have found it extremely difficult to read and digest the total effect of the proposed Plan Change 29 and its supporting documentation of over 2000 pages.

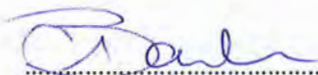
Other concerns I have about Plan Change 29:

1. The government is encouraging people to invest in solar energy, and the proposed daylight angles would render this useless. Many people have already invested in this technology and rely on it to keep their household expenses down.
2. What guarantee that the buildings would look like the "artists impressions" and not like ugly concrete edifices, in particular the 6-storey buildings.

Some other suggestions to help provide more housing within Nelson:

1. Keep intensification in the central city and to new developments, away from the already established suburbs. This would have less of an impact on the everyday lives of people already living there, and would make the city centre more vibrant. People in the inner city developments would be living closer to all the services, restaurants, movie theatres and shops. They would also have better access to the public transport systems. This would bring much needed life back to the city centre, and residents could walk and bike to where they need to go more easily, for work, recreation and shopping.
2. There should be a maximum of 3 stories for suburbs outside of the city centre, and only in new subdivisions. The loss of community would be devastating in existing suburbs, especially those areas with many families and elderly, where the "back garden" is an important part of their lives. Loss of sunlight and privacy would have a very negative impact for them.
3. Allow for people to more easily add tiny homes to their properties to help increase accommodation supply and also add income for people. This would allow people who value their space and privacy to retain it, while other can make the choice to have a single story, tiny home if they wish to.
4. Building another community outside of Nelson city, similar to Pegasus in North Canterbury.

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



.....

Submitter

24th October 2023

.....

Date

Rev 0.1

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

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

Submitter (Complete details below):

Full Name: Dorothy Nadine Siebert

Address:

Telephone

Email: nadinebrt22@outlook.com

Signature of Submitter:

Date:

30/10/23

Delete as applicable: -

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

I **WISH/DO NOT WISH** to be heard in support of my submission.

Firstly, I reject PC 29 in its entirety, but if it is not rejected then these are my points..

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

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

2) Hearing Panel

- a) I strongly disagree with the make-up of the hearing panel, because of its 'biased' public perception following the vote on Councillor Courtneys proposal to withdraw PC29 at the 14th September Council meeting.
 - i) I ask the Council to appoint Councillors from either side of the Sept 14th vote.

3) NCC's Population forecasts

- a) These are a pivotal aspect for the scale of which Nelson needs to enable intensification and growth. The forecasts used by NCC are not Statistics NZ medium projections, but are over inflated projections that require the scale of intensification to be greater than those of Statistics NZ.
 - i) I ask the Council to use Statistics NZ medium projection forecasts, as recommended by the NPSUD Capacity: Guide on Evidence and Monitoring, para 2.1.1 and amend its intensification requirements accordingly.

4) Design Lead and Not Developer Lead Growth.

- a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations and been a cherished holiday destination for many New Zealanders.
- b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.
- c) We need to protect and retain CBD historic facades as an essential part of the character of the Inner City.
- d) Contemporary Black Iron Clad Boxes, built only a few metres from 120-year-old Historic Homes is a thoughtless lack of long-term vision for maintaining the attraction of Nelson for all the future residents and visitors.
- e) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.
 - i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts that still have historic character value from the early settlement years of Nelson.
 - ii) I ask the Council to appoint an Urban Development Agency (UDA) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

5) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a **CRITICAL** part of living in Nelson. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.
- b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>
- c) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -
 - i) Increased levels of mental health illness, anxiety and stress.
 - ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
 - iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
 - iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing is old, with un-insulated walls and single glazing and open fires were legislated out of use many years ago.
 - v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
 - vi) Residents, struggling with the cost-of-living crisis may not afford to heat their home.
 - vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units that **COULD** be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.
- (1) I ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.
- (2) I strongly support the inclusion of Daylight and Sunlight policy statement Para RE2.3.i: The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided for daylight controls on all side and rear boundaries. The policy also applies to larger non-residential buildings such as schools or halls. The basic premise is that the daylight and sunlight received on a residential site should be no different whether or not the neighbour is residential. This philosophy applies whether the building is on an adjoining site or across a street.

6) Privacy and Outlook

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

7) Intensification

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

8) Progressively Phased Intensification

- a) Firstly, Inner City should be the starting place to have the most significant intensification, before forcing it onto the residential neighbourhoods, this can give more time to complete a better design vision for our residential neighbourhoods.
 - i) I ask Council to make better utilization of Car Only spaces, by developing them into shared spaces, with Accommodation overhead. 'Nelsust' highlights 44% of the Inner City as Car only spaces.
 - ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose

to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences’.

- b) Secondly, City Fringe would be the next zone to phase in for intensification.
 - i) I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land that can be better used for accommodation.
- c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
 - i) I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) **if required and over time**, providing AP15 Daylight Admission Protection rules remain in force for existing properties.

9) Intensification in hazard zones

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

10) On-street carparking

- a) Increased intensification will result in more on-street car parking and the narrow streets of Nelson will become a hazard to pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles. This will cause fracturing of neighbourly relations and communities.
 - i) I ask Council to provide a ‘Comprehensive car parking management plan’ as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against these issues.
 - ii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.

11) Social Housing

- a) Significant care and attention must be considered with all social housing because there are too many examples across the country where this has resulted in disharmony in communities.
- b) High density living for the homeless and vulnerable will not result in healthy outcomes for all concerned.
- c) Careful design controls from the concept stage onwards, will be rewarded in the long run, with less support required by Mental Health Services, Charity Services, Police and Social Services.
 - i) I would like to see Council working closely with Kainga Ora, to provide a ‘transparent’ way of creating new Social Housing Developments that ‘Fit’ with the long-term design vision of Nelson.
 - ii) I would like to see Council have more fit for purpose controls for antisocial behaviour that affects the existing neighbour’s enjoyment of their property.

12) Infrastructure

- a) I ask the Council to include a plan to mitigate against future drought situations with a greater demand on the same amount of water from the Maitai Dam, for a greater population.
- b) I ask the Council to include a plan to mitigate against the increased capacity requirements for our waste water systems.
- c) I ask the Council to include a plan to mitigate against the increased capacity requirements for storm water.

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

Submitter:

Environmental.planning@ncc.govt.nz

Full Name: **Susan L Ware**

Address: I

I

Telephone:

Email: **gecko@ts.co.nz**

Date: **30th October 2023**

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

I **do not wish** to be heard in support of my submission.

Firstly, I reject PC 29 in its entirety, but if it is not rejected then these are my points...

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

- a) That I have found it difficult to digest the total effect of the proposed PC 29 and its supporting documentation due to its size and complexity.
- b) That access to a paper copy of PC 29 and the Section 32 reports has not been made available for residents who do not have access to, or the ability to use a computer.
- c) That I have found PC 29 lack of early public engagement and consultation by Council, with its severe implications towards the well-being of existing rate paying residents enjoyment of their properties, extremely stressful, very time consuming and unnecessary.
- d) That I have been put in a position of hoping more qualified citizens than I, will make more comprehensive submissions covering my concerns as to the future of Nelson and its ratepaying residents.
- e) That Council Planning Staff have stated at numerous meetings "This is a 'Broad Brush approach' that requires public submissions to refine the plan". Such a statement implies PC 29 has been prematurely put out for public submissions in an incomplete and inaccurate state that requires the public to learn and understand in its entirety, so they can formulate and articulate a suitable response.
- f) The severe lack of Trust between residents and Council has become significant given the following:-
 - i) The PC29 submission timeframe was only extended from 27 to 56 working days because of public pressure at 7th Sept public meeting.
 - ii) PC29 media engagement was only increased because of public pressure at 7th Sept public meeting.
 - iii) Information regarding the negative impacts on existing residents' enjoyment of their properties is not forthcoming in every interaction with NCC members and staff. It is '**Deceit by Omission**' and has required individuals to research PC 29 to find out these aspects and share them with the wider public. Eg.
 - (1) Loss of winter sunlight with new recession planes.
 - (2) Loss of on street car parking with increased intensification due to no requirement for on-site car parking.
 - (3) Loss of privacy with bigger buildings that are closer to boundaries.
 - (4) Loss of property value with loss of views, sunlight, and privacy.

- (5) Increased levels of noise with increased residential dwellings around a boundary.
- (6) Residential unit numbers per building can be increased on a 'restricted discretionary' basis without notification or written approval.
- (7) Exaggerated population forecasts.
- (8) Council voted **NOT** to withdraw PC 29 on Sept 14th Meeting.
- (9) Predetermined biased Councillors on the hearing panel.
 - (a) I am asking Council to immediately withdraw PC 29 and get Council Planning staff to refine the plan design and then put it back out for public consultation.

2) Hearing Panel

- a) I strongly disagree with the make-up of the hearing panel, because of its 'biased' public perception following the vote on Councillor Courtneys proposal to withdraw PC29 at the 14th September Council meeting.
 - i) I ask the Council to appoint Councillors from either side of the Sept 14th vote.
 - ii) If i) is not followed then I ask that all Councillors are replaced with independent Commissioners.

3) NCC's Population forecasts

- a) These are a pivotal aspect for the scale of which Nelson needs to enable intensification and growth. The forecasts used by NCC are not Statistics NZ medium projections, but are over inflated '**home grown**' projections that require the scale of intensification to be greater than those of Statistics NZ. I refer to the submission by Demographer, Dr Geoffrey Hayes.
- b) When challenged, NCC staff and the Mayor, always refer to the wider Nelson-Tasman regional growth, which is beyond the scope of PC29.
 - i) I ask the Council to use Statistics NZ medium projection forecasts for Nelson, as recommended by the NPSUD Capacity: Guide on Evidence and Monitoring, para 2.1.1 and amend its intensification requirements accordingly.

4) Design Lead and Not Developer Lead Growth.

- a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations and been a cherished holiday destination for many New Zealanders.
- b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.
- c) We need to protect and retain CBD historic facades as an essential part of the character of the Inner City.
- d) Contemporary Black Iron Clad Boxes, built only a few metres from 120-year-old Historic Homes is completely out of character and lacks a long-term vision for maintaining the attraction of Nelson for all the future residents and visitors. See attached photo (out of character 1)
- e) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.
 - i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts to that of areas of historic character value from the early settlement years of Nelson and stop future 'out of character' developments.

- ii) I ask the Council to appoint an Urban Development Agency (UDA), as per the Nelson Tasman 2050 proposal, (attached) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

5) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a **CRITICAL** part of living in Nelson. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.
- b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>
- c) I am unable to find a section 32 report regarding the winter sunlight shading effects on neighbouring properties. The daylight admission testing in the B&A memorandum dated 15/3/23 are only about maximising building bulk and height to enable increased floor plates at upper levels on a typical size section, rather than any loss of sunlight and the shading effects of a neighbour.
- d) Shape Nelson Website provides misleading information on 'How PC29 could affect you' with no mention of completely losing sunlight amenity with possible total shading over the winter months. Quote:- "**Daylight admission** - the maximum allowable building height decreases as the building gets closer to the side and rear boundaries, so that taller buildings leave space for daylight to get to the neighbouring properties".
- e) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -
 - i) Increased levels of mental health illness, anxiety and stress.
 - ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
 - iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
 - iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing is old, with un-insulated walls and single glazing and open fires were legislated out of use many years ago.
 - v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
 - vi) Residents, struggling with the cost-of-living crisis may not afford to heat their home.
 - vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units that **COULD** be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.
 - viii) NCC & TDC 'Housing We'd Choose' report dated June 2021 by M.e Consulting ranks 'Sunny' as the highest preference for housing choice in Nelson and yet PC29 will remove that amenity from its exiting residents, without warning or compensation.
 - (1) I ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.
 - (2) I strongly support the inclusion of Daylight and Sunlight policy statement Para RE2.3.i: The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided

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 - ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences'.
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- c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
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9) Intensification in hazard zones

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

10) On-street carparking

- a) Increased intensification without providing off street carparking will result in significant hazards to pedestrians and road users in some areas of Nelson where roads are extremely narrow, with little or no footpaths, no berms, high retaining walls, steep drop offs and no turning spaces. Some of these roads are all much narrower than would be expected under modern standards with some being barely a single vehicle wide.
- b) On street parked cars, have also narrowed two-way roads down to single lane for two-way access and forced parking on footpaths to become the 'norm'.
- c) Drivers must carefully share the roads with each other, cyclists and pedestrians, frequently having to pause where there is available space to allow vehicles to pass. Sometimes this requires driving over the kerb and onto footpaths.
- d) In places trucks, including the weekly waste collection vehicles have to reverse quite long stretches because of the lack of anywhere to turn.
- e) In places, visibility of oncoming vehicles is also very poor and dangerous.
- f) Driving up and reversing out of very steep driveways is challenging at best and potentially unsafe.
- g) Access for pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles is difficult and unsafe.
- h) Intensification, without providing on-site car-parking in these narrow road access areas will cause fracturing of neighbourly relations and communities who live in these areas.
- i) See attached photos (Mt St 1-6 and Konini St 1 & 2)

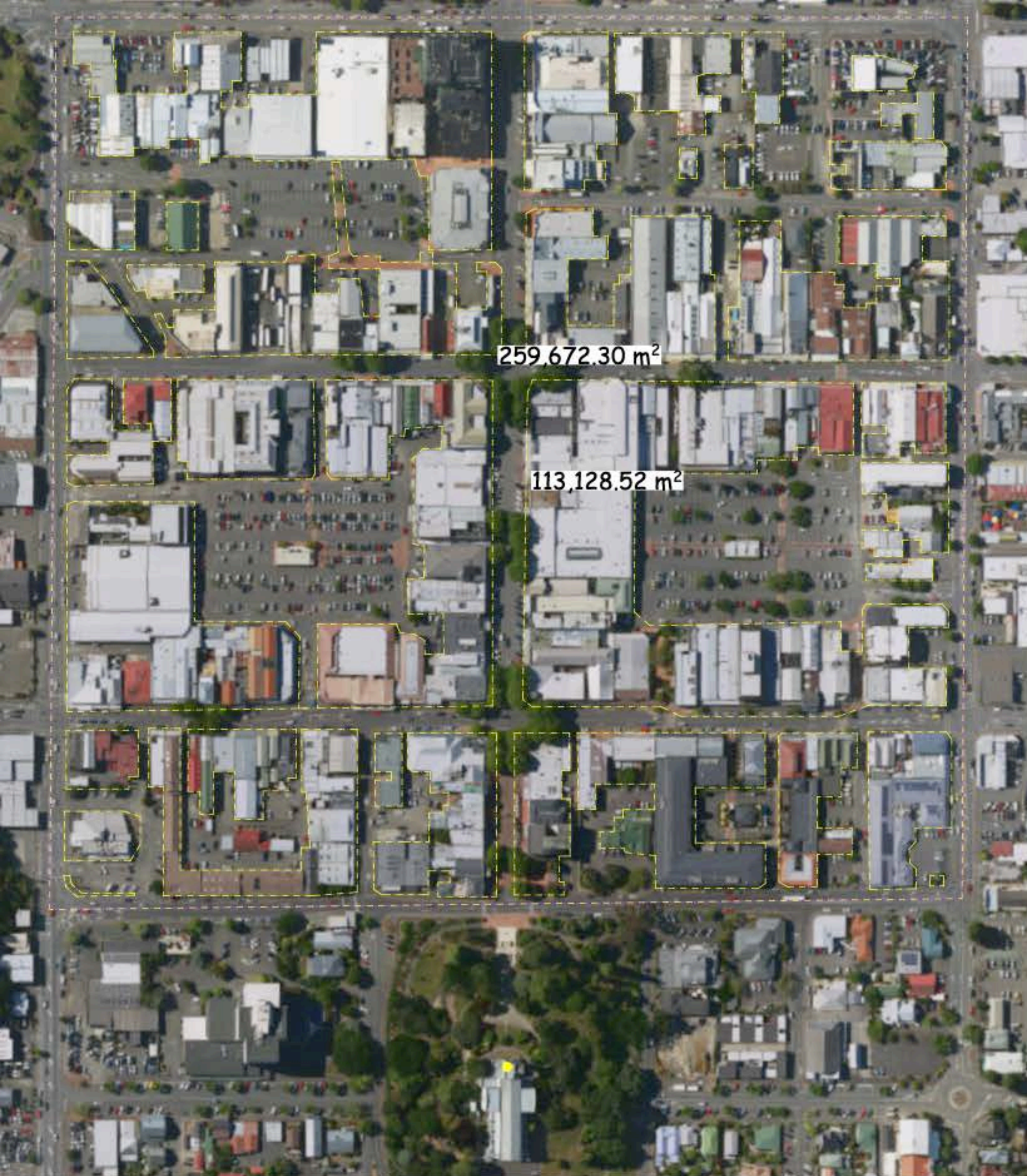
- i) I strongly recommend that the Hearings Panel conduct a thorough site inspection of the narrow streets of Nelson including, (but not limited to) Locking St, Mount St & Konini St, including on foot.
- ii) I ask Council to provide a 'Comprehensive car parking management plan' as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against the issues of on-street parking.
- iii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.
- iv) I ask council to restrict more intensification in the neighbourhoods with narrow and hazardous road access to Standard Residential zoning for road user safety reasons. Eg (But not limited to:-) Mount St, Konini St, Locking St, Locking Tce, Northesk St (East) and Renwick Place.

11) Social Housing

- a) Significant care and attention must be considered with all social housing because there are too many examples across the country where this has resulted in disharmony in communities.
- b) High density living for the homeless and vulnerable will not result in healthy outcomes for all concerned.
- c) Careful design controls from the concept stage onwards, will be rewarded in the long run, with less support required by Mental Health Services, Charity Services, Police and Social Services.
 - i) I would like to see Council working closely with Kainga Ora, to provide a 'transparent' way of creating new Social Housing Developments that 'Fit' with the long-term design vision of Nelson.
 - ii) I would like to see a robust, longterm design process for housing density placement rather than the infill-where-ever possible current scenario.
 - iii) I would like to see Council have more fit for purpose controls for antisocial behaviour that affects the existing neighbour's enjoyment of their property.

12) Infrastructure

- a) I ask the Council to include a plan to mitigate against future drought situations with a greater demand on the same amount of water from the Maitai Dam, for a greater population.
- b) I ask the Council to include a plan to mitigate against the increased capacity requirements for our waste water systems.
- c) I ask the Council to include a plan to mitigate against the increased capacity requirements for storm water.



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%

NELSUST

Working for Sustainable Transport Solutions Nelson Region
 Nelson Transport Strategy Group Inc. www.nelsust.co.nz







POLICE

LQM972



RMA Submission Form for Publicly Notified Plan Change 29 *Housing and Hazards*

30 October 2023

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

OFFICE USE
Submission No: S716
Date Received Stamp: 30/10/2023
NDOCs No: 539570224-17732

Submitter Details

Full Name Clay Gallagher and Others
Organisation
Contact Person Mark Lile
Postal Address Landmark Lile Limited, PO Box 343, Nelson 7040
Mobile Phone
Email mark@landmarklile.co.nz

Trade Competition

I/we **could not** gain an advantage in trade competition through this submission.

Council Hearing

I **do** wish to be heard in support of my submission.

I would **not** be prepared to consider presenting my submission in a joint case with others.



.....
Signature of Submitter

(or authorised person)

Dated: 30 October 2023

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 submissions and the relief sought are as follows:

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

Submissions

This submission is made by Clay Gallagher and Others who own the residential land at 209 Nile Street, Nelson. This site is ideally suited to a comprehensive form of housing development given its scale, location to Nelson City, schools and recreational amenities. The area also already contains a range of housing densities.



It is acknowledged that this site is in a location that has some risk from flooding. The applicant has however been working closely with its consultants and relevant Council over 2023, which has led to a development concept that is considered to achieve the sustainable management of this residential land resource. Likewise, this process has shown that the flooding risks can be managed through good design and the use of a range of methods.

The focus of this submission is to address those proposed changes to the NRMP within PC29 that could impede the efficient use and sustainable development of this site.

This submission identifies the specific provisions and the additional reasons for these submissions in the table that follows:

Volume 1		
MW.iii	Meaning of Words	Support/oppose
	<i>Building Coverage</i> Support <u>Reasons</u> Given the removal of the car parking requirements the proposed changes to the definition of building coverage are considered to be necessary and appropriate. <u>Relief Sought</u> Retain the proposed change to this definition.	
DO16	Zones	
DO16.1.1.v	<i>Residential – Standard Area</i> Oppose in part <u>Reasons</u> It is considered appropriate that the opportunity to undertake Comprehensive Housing Development in the Standard Area be provided for in the provisions. <u>Relief Sought</u> Amend DO16.1.1.v to acknowledge that there is also an opportunity for Comprehensive Housing Development in this Zone so long as the risks from natural hazards are appropriately managed.	
Volume 2		
Ch.7	Residential Zone	
RE1.4.i	<i>Explanation and Reasons</i> Oppose in part <u>Reasons</u> This explanation states that the Plan seeks to minimise the number of units in this Standard Area due to natural hazard risks. Rather, it is considered that the direction should be to ensure that natural hazards are appropriately managed. Not providing this opportunity is considered to result in an inefficient use of a valuable land resource in close proximity to the City Centre. <u>Relief Sought</u> Amend RE1.4.i to provide the opportunity for natural hazards to be appropriately managed.	
RE1.4.ii	<i>Methods</i> Oppose in part <u>Reasons</u> This method does not provide reference to the opportunity for Comprehensive Housing Development in the Standard Area. <u>Relief Sought</u> Amend RE1.4.ii to include the opportunity to undertake comprehensive housing development.	

Owner of: 49A Domett St
NELSON

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

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

Submitter:
Full Name:
Address:

Telephone:
Email:

Cynthia Martin

cynthiaandkevinmartin@gmail.com

☒ 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

The area of concern is already heavily populated with cross lease titles. Further densification will create parking chaos

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

Intensification of housing will increase Council's inability to cope with future disasters. Create more space along Aorangi frontage for development

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

Submitter signature

C & K Martin

Date

30/10/23

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

RMA Submission Form for Publicly Notified Plan Change 29



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

Senior Planning Administrator
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(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*	MURRAY ROBERT & ROSETTE JAMIN WEBBER		
Organisation			
Contact Person	MURRAY WEBBER		
Postal address*			
Telephone*	Email*	murraythefirst@gmail.com	

OFFICE USE

Submission No: 5718

Date Received Stamp:

31/10/23

NDOCs No:

539570224-17736

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)

31-10-23

Date*



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

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

My submission is*:

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

I OPPOSE THE CHANGE TO THE AREA OF 120 & 122 TIPAH ST
THIS AREA BORDERS ONTO OUR PROPERTY ON THE EAST SIDE

MY CONCERNS ARE AS LISTED

- THIS WILL CREATE SHADE IN THE MORNING WITH MULTI STOREY
WE ALREADY HAVE BAD SHADE IN THE AFTERNOON, AS EARLY AS 2.30,
IN WINTER FROM THE HILL, RAILWAY RESERVE.
- LOSS OF VIEW, WE ONLY HAVE A VIEW TO THE NORTH & EAST, TO
LOSE THE VIEW TO THE EAST WILL LEAVE ME FEELING HEMMED IN
AND AFFECT MY MENTAL HEALTH A LOT.
- EXTRA NOISE FROM LARGE INCREASE IN PEOPLE,
INCREASE IN CRIME, SAME REASON AS ABOVE.
MORE CARS PARKED IN AREA WHICH IS RESTRICTED ALREADY
LIKELY TO BE PARKING UP OUR DRIVEWAY
- SLEEP EFFECTED FROM PARTIES, FIGHTING, CARS, DRUG DEALING.
- DEVALUATION OF PROPERTY.
- AREA IS ALREADY UNDER THREAT WITH THE SOUTHERN LINK
PROPOSAL ON OUR WEST BOUNDARY WHICH HAS CAUSED ME STRESS
ALREADY AND HASN'T BEEN WITHDRAWN TO MY KNOWLEDGE.

WHEN I BOUGHT THIS PROPERTY I CLIMBED THE AREA
WOULD GO AHEAD, I DON'T FEEL THIS WOULD HAPPEN
UNDER THIS PLAN

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).

SINGLE STORY BUILDING ONLY ON THIS AREA OF THE
STREET BECAUSE OF THE BUILDINGS BEHIND IT.

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.

Received 31/10/23

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

Environmental.planning@ncc.govt.nz

Submitter (Complete details below):

THE DOMETT ST/HARDY ST/TASMAN ST/NILE ST BLOCK

Submission: 5719

Full Name: Janet Southwick and Susan Gibson (on behalf of the block)

Address:

Telephone:

Email: gibson5@xtra.co.nz baywicks@xtra.co.nz

Signature of Submitter: See attached individually signed submissions

Date: 24 October 2023

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

WE WISH to be heard in support of our submission.

Firstly, we reject PC 29 in its entirety, but if it is not rejected then this is our request...

We ask for the Council to remove the block of Domett Street/ Hardy Street/ Tasman Street and Nile Street from Plan Change 29 High Density Residential Zone (HDZ) and it be given the same classification as the other half of Domett Street/Bridge Street block or The Wood area of Residential – Comprehensive Area/Residential Lower Density Area with a maximum of two stories.

Over the last week we have gone door-to-door in the neighbourhood with the proposal to remove our block from high density - we received an overwhelmingly positive response for our request of support – please see attached individually signed submissions in agreement – some additional forms will be delivered/emailed personally to the council. A small number of residents were unable to be reached – none of the residents we approached were in support of high density in the residential areas. One was not concerned either way.

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. Please see attached earthquake report by Dave Gibson.

We ask that the Council complete further investigations into the flood hazard risks as we understand Tim Bayley of 52 Domett Street has shown there is a large discrepancy in Tonkin and Taylors flood map overlay (Please see attached report by Tim Bayley) – 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.

These are our additional points against plan change 29

1) NCC's Population forecasts

- a) These are a pivotal aspect for the scale of which Nelson needs to enable intensification and growth. The forecasts used by NCC are not Statistics NZ medium projections, but are over inflated projections that require the scale of intensification to be greater than those of Statistics NZ.
 - a.i) I ask the Council to use Statistics NZ medium projection forecasts, as recommended by the NPSUD Capacity: Guide on Evidence and Monitoring, para 2.1.1 and amend its intensification

NDocs: 539570224-17738

requirements accordingly.

2) Design Lead and Not Developer Lead Growth.

- a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations and been a cherished holiday destination for many New Zealanders.
- b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.
- c) Contemporary Black Iron Clad Boxes, built only a few metres from 120-year-old Historic Homes is a thoughtless lack of long-term vision for maintaining the attraction of Nelson for all the future residents and visitors.
- d) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.

3) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a **CRITICAL** part of living in Nelson. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.
- b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>
- c) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -
 - c.i) Increased levels of mental health illness, anxiety and stress.
 - c.ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
 - c.iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
 - c.iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing is old, with un-insulated walls and single glazing and open fires were legislated out of use many years ago.
 - c.v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
 - c.vi) Residents, struggling with the cost-of-living crisis may not afford to heat their home.
 - c.vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units that **COULD** be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.
- (c.vii.1) We ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.
- (c.vii.2) We strongly support the inclusion of Daylight and Sunlight policy statement Para RE2.3.i: The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided for daylight controls on all side and rear boundaries. The policy also applies to larger non-residential buildings such as schools or halls. The basic premise is that the daylight and sunlight received on a residential site should be no different whether or not the neighbour is residential. This philosophy applies whether the building is on an adjoining site or across a street.

4) Privacy and Outlook

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

5) Intensification

- a) We strongly oppose the High-Density Residential Zone. It is by no way in character or in keeping with any existing ‘Low Rise’ Nelson residential suburb and beyond the MDS legal mandate.
 - a.i) We ask Council to remove HDRZ from the plan completely.
 - a.ii) We ask Council to apply the new General Residential Zone equally across the entire Nelson district on the introduction of PC29, on the basis that AP15 Daylight Admission protection rules will apply to all pre-existing properties, unless the owner gives written approval to the contrary.
 - a.iii) We ask Council to ensure that more than 4 units requires notification, to restrict large ‘out of character’ accommodation blocks spanning multiple sections, and taking up lots of on street car parking spaces, popping up in a residential street, without warning.

6) Intensification in hazard zones

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

7) On-street carparking

- a) Increased intensification will result in more on-street car parking and the narrow streets of Nelson will become a hazard to pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles. This will cause fracturing of neighbourly relations and communities.
 - a.i) I ask Council to provide a ‘Comprehensive car parking management plan’ as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against these issues.
 - a.ii) We ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.

8) Infrastructure

- a) We ask the Council to include a plan to mitigate against future drought situations with a greater demand on the same amount of water from the Maitai Dam, for a greater population.
- b) We ask the Council to include a plan to mitigate against the increased capacity requirements for our waste water systems.
- c) We ask the Council to include a plan to mitigate against the increased capacity requirements for storm water.
- d) We ask the Council to undertake further investigation into the Brook Stream and its potential to flood

Nelson Council please seriously consider removing our block from high density with Plan Change 29. Keep us and our families safe from the potential damage caused through high density during earthquake and floods. Please keep our block as a low density area with maximum of 2 stories. Please look at the impact the Brook Stream and Maitai River will have on the area and challenge Tonkin and Taylor report.

EARTHQUAKE RISK

In my previous role as the Tasman District Police Operations Manager, I along with other Government organisations (Nelson City and Tasman District Councils included) were planning for the ALPINE 8 Fault line to rupture. It is referred to as 'Alpine 8' due to when it ruptures; it is expected to be at a magnitude 8 plus.

The Alpine Fault is the visible "on-land" boundary of the colliding Pacific and Australian Plates. The Alpine Fault is one of the largest sources of seismic, or earthquake, hazards in Aotearoa New Zealand. Historically, when this fault ruptures, it produces an earthquake of about magnitude 8.0.¹ This will be a significant event with catastrophic consequences. The timings of the ruptures have historically been very accurate in spacings.

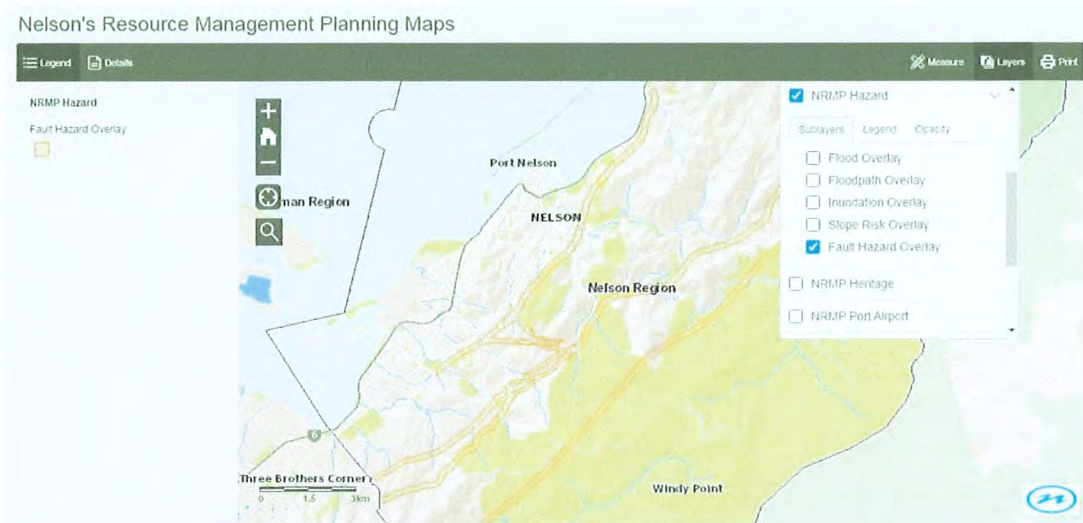
75% probability of earthquake occurring in the next 50 years - Over 8000 years Alpine Fault has ruptured 27 times (on average every 300 years. Last significant quake on the Alpine Fault Line was in 1717.)²

This rupture is now overdue and the city must prepare for this event to mitigate the loss of life, human injury and infrastructure damage by building wisely (lower levels), at suitable building sites (not in Council identified earthquake and liquefaction zones) and, obviously on solid foundations. The Nelson City Council has identified and published a 'Fault Awareness Overlay' (for their jurisdiction) travelling along The Ridgeway, Enner Glynn, Bishopdale, through to Nelson East, The Wood to Atawhai via the Brooklands to Tui Glynn.³ A significant proportion of this identified area is densely populated with people living in residential properties. There is an identified clear threat to those living within the area, along with those neighbouring the fault line should Nelson suffer a significant earthquake. To disproportionally increase the number of people living within this area would be unwise by the Council – to build multi-storey structures to house people is simply ludicrous.

¹ GNS Science | Te Pū Ao. (n.d.). *Alpine Fault - GNS Science | Te Pū Ao*. Retrieved October 23, 2003, from Alpine Fault - GNS Science | Te Pū Ao: <https://www.gns.cri.nz/our-science/land-and-marine-geoscience/our-plate-boundary/alpine-fault/#:~:text=The%20Alpine%20Fault%20is%20the,earthquake%20of%20about%20magnitude%208.0>.

² Government. (n.d.). *AF8 Alpine Fault Magnitude 8*. Retrieved October 18, 2023, from AF8 Alpine Fault Magnitude 8: <https://af8.org.nz/what-is-af8>

³ Nelson City Council. (n.d.). *Nelson's Resource Management Planning Maps*. Retrieved October 24, 2023, from Nelson's Resource Management Planning Maps: <https://nelsoncity.maps.arcgis.com/apps/MapTools/index.html?appid=7314479a0d054aeeb32ee1b0ccb7d459>



*New Zealand's precarious location at the edge of two converging tectonic plates means we are subject to natural hazards like earthquake shaking, earthquake fault rupture, and land deformation. As these tectonic plates continue to move, New Zealand will continue to be subject to earthquake-related hazards. In March 2001, the Parliamentary Commissioner for the Environment released the report *Building on the Edge – The Use and Development of Land On or Close to Fault Lines*. The Commissioner's investigation arose following public concern that local authorities were not able to adequately manage the use and development of land on or close to active faults. The PCE report focused on the *Building Act 1991* and the *Resource Management Act 1991 (RMA)*. It reached a number of key conclusions.*

- *There is no technology to prevent earthquake damage to buildings built across faults.*
- *Few territorial authorities identify and plan for seismic hazards, despite their responsibilities for subdivision and land use.*
- *Practical guidelines are urgently needed to reduce the risks associated with fault rupture. (Ministry for the Environment, 2003)⁴*

The Japanese are world leaders in building high rise buildings and skyscrapers factoring potential earthquakes. Despite this, and building in a manner to mitigate collapse, they acknowledge that no one can predict the intensity of future earthquakes. Due to the unpredictable nature of natural disasters, it is impossible to know whether a design can withstand the next large earthquake until after it happens. It is only in hindsight that engineers and architects can be certain about the resilience of their designs.⁵

⁴ Ministry for the Environment. (2003, July). *Planning for Development of Land on or Close to Active Faults*. Retrieved October 23, 2023, from *Planning for Development of Land on or Close to Active Faults*: <https://environment.govt.nz/assets/Publications/Files/planning-development-faults-graphics-dec04-1.pdf>

⁵ BBC. (2023). *How Japan's skyscrapers are built to survive earthquakes*. Retrieved October 18, 2023, from *How Japan's skyscrapers are built to survive earthquakes*: <https://www.bbc.com/future/article/20190508-why-fukuoka-is-japans-most-innovative-city>

2011 Christchurch Earthquake - As a Police Officer, I led teams recovering multiple bodies from a six storey building collapse. Others were crushed by debris falling from buildings. The lower the building – the lower the risk of potential harm. Sadly, Christchurch clearly hasn't learnt from this disaster, with plans of constructing new multi-storey buildings. Nelson has an opportunity to be future focused, risk adverse and build more wisely.

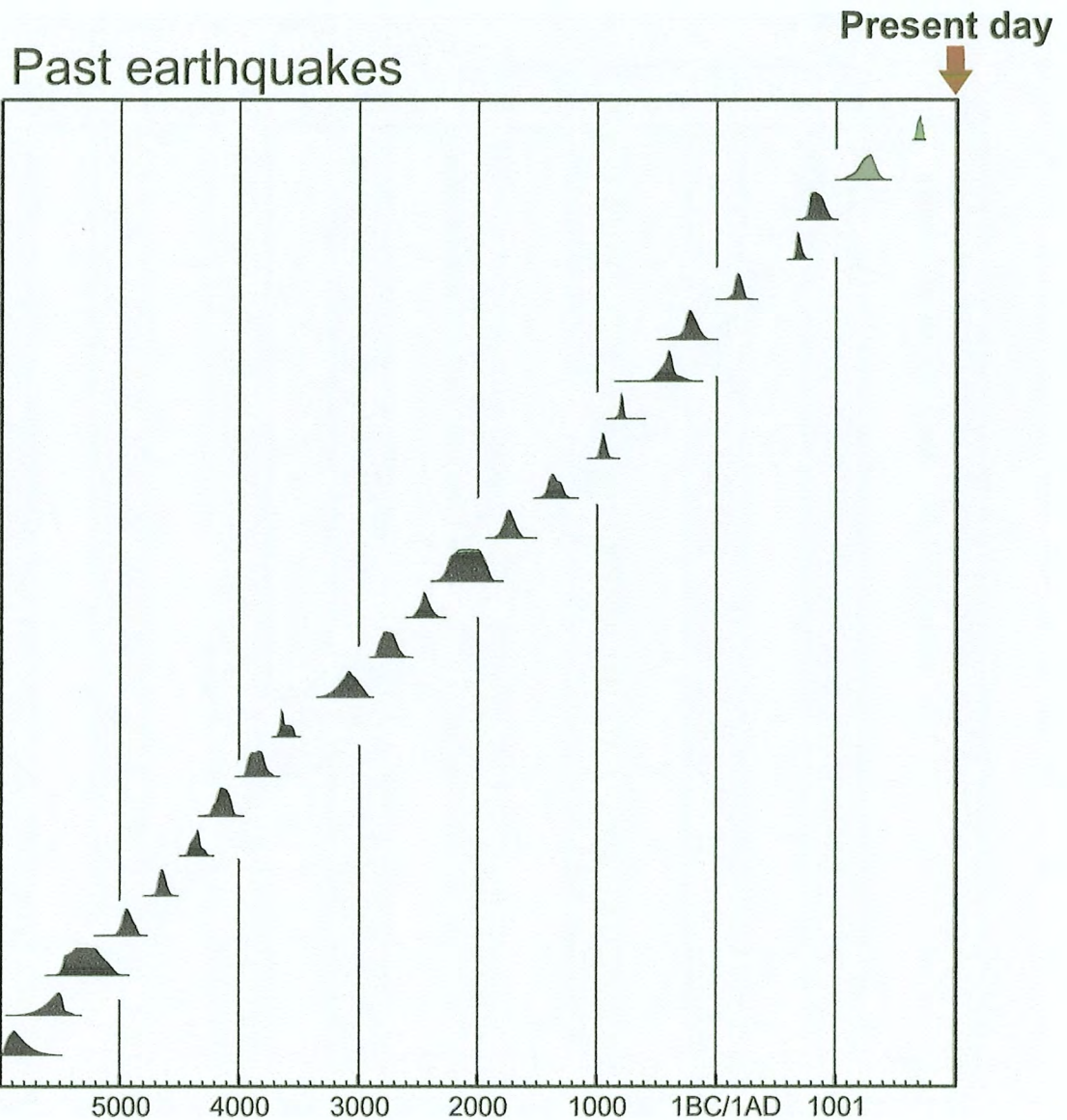
Until now, scientists thought the risk of a major earthquake in the next 50 years was about 30%. But our analysis of data from 20 previous earthquakes along 350 kilometres of the fault shows the probability of that earthquake occurring before 2068 is about 75%. We also calculated an 82% chance the earthquake will be of magnitude 8 or higher.

The Alpine Fault earthquake record shows the past three earthquakes ruptured through the earthquake gate and produced great (magnitude 8 or higher) earthquakes. Our simulations show that if three earthquakes passed through the gate, the next one is also likely to go through.

This means we'd expect the next earthquake to be similar to the last one in 1717, which ruptured along about 380km of the fault and had an estimated magnitude 8.1.⁶

⁶ Jamie Howarth, R. S. (2021, April 20). *The Conversation*. Retrieved October 23, 2023, from NZ's next large Alpine Fault quake is likely coming sooner than we thought, study shows: <https://theconversation.com/nzs-next-large-alpine-fault-quake-is-likely-coming-sooner-than-we-thought-study-shows-159223>

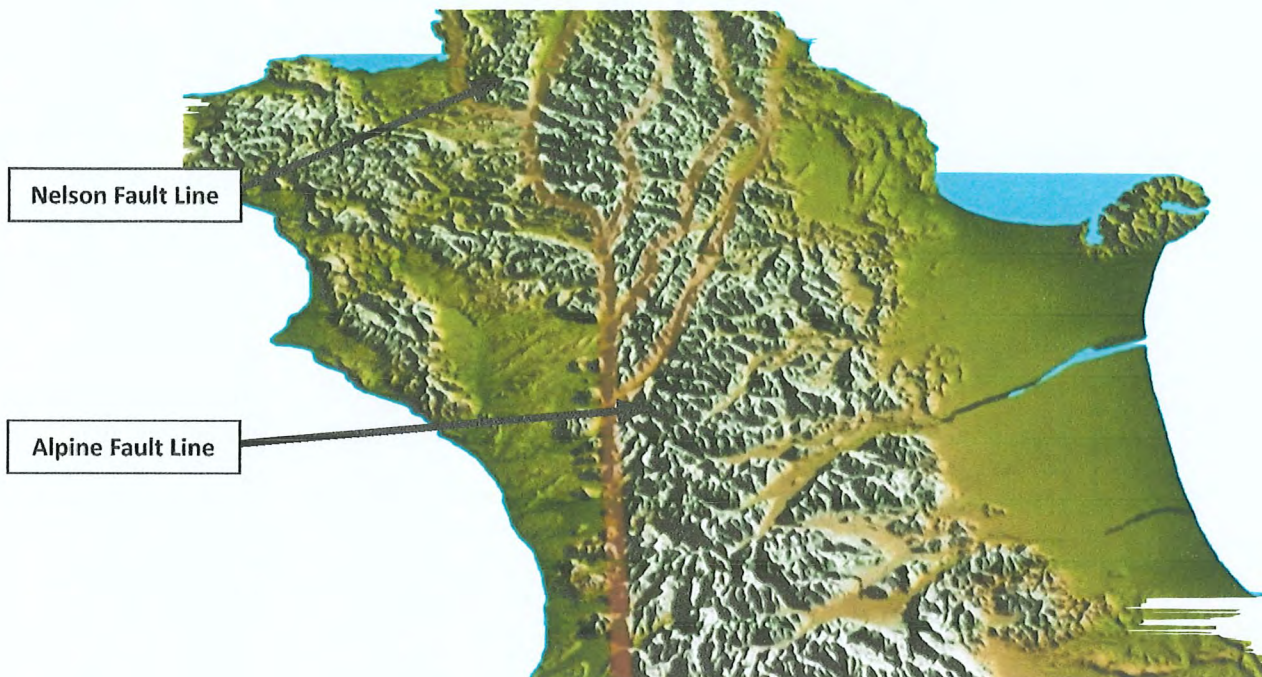
APLINE FAULT RUPTURE TIMELINE



The dating results that you can see on this graph show how the Alpine Fault at Hokuri Creek has been rupturing in a very regular cycle over the last 8000 years. The intervals do vary – from 140 to 510 years, but the average is 330 years. In fact the most common actual interval between Alpine Fault earthquakes is 300 years, which is sobering when you realise that the last Alpine Fault rupture was in 1717, just under 300 years ago. (GNS Science, 2023)⁷

⁷ GNS Science. (2023). *Out There Learning*. Retrieved October 23, 2023, from Out There Learning: <https://outtherelearning.co.nz/2014/10/a-ticker-tape-record-of-alpine-fault-earthquakes/>

ALPINE FAULT LINE INDICATING BRANCHING FAULT LINE GOING THROUGH NELSON⁸



All expert evidence indicates that it's not a case of 'if' but 'when' the next severe earthquake will occur. Through science, we have been given the gift of knowing this event is coming. What we need to do as a community, is use this knowledge to build in locations that will mitigate the loss of life and injury. For this reason, we ask the Nelson City Council NOT to allow multi-storey (of no more than TWO level) buildings to be erected on or near these identified fault lines.

⁸ GNS Science. (2023). Out There Learning. Retrieved October 23, 2023, from Out There Learning: <https://outtherelearning.co.nz/2014/10/a-ticker-tape-record-of-alpine-fault-earthquakes/>

The Brook Flood Model

- as Per Plan Change 29 - 5th October 2023 by Tim Bayley

I would like to draw the council's attention to a serious anomaly with the Flood Hazard Maps for the Brook Stream as prepared by Tonkins & Taylor that is used in the overlays for Plan Change 29.

As a resident of Domett Street, being along side both the Maitai River and the Brook Stream, for the past 26 years we have observed these waterways closely in both drought and flood conditions.

The biggest of these weather events being 17th to 20th August 2022.

During this flood the Brook Stream came over the wall at the back of our property, 52 Domett Street, three times.

To set the scene of what happened over the 3 + days of the big flood back in August of 22

Over the next 4 pages we have included a series of pictures of the rivers normally and in full flood on the Wednesday the 17/8/22 in the late afternoon. Our house, below, sits on the last bend in the Brook Stream before it exits under the Domett St bridge into the Maitai River.





#1A - The Maitai River from Domett St bridge - looking downstream - normal flow



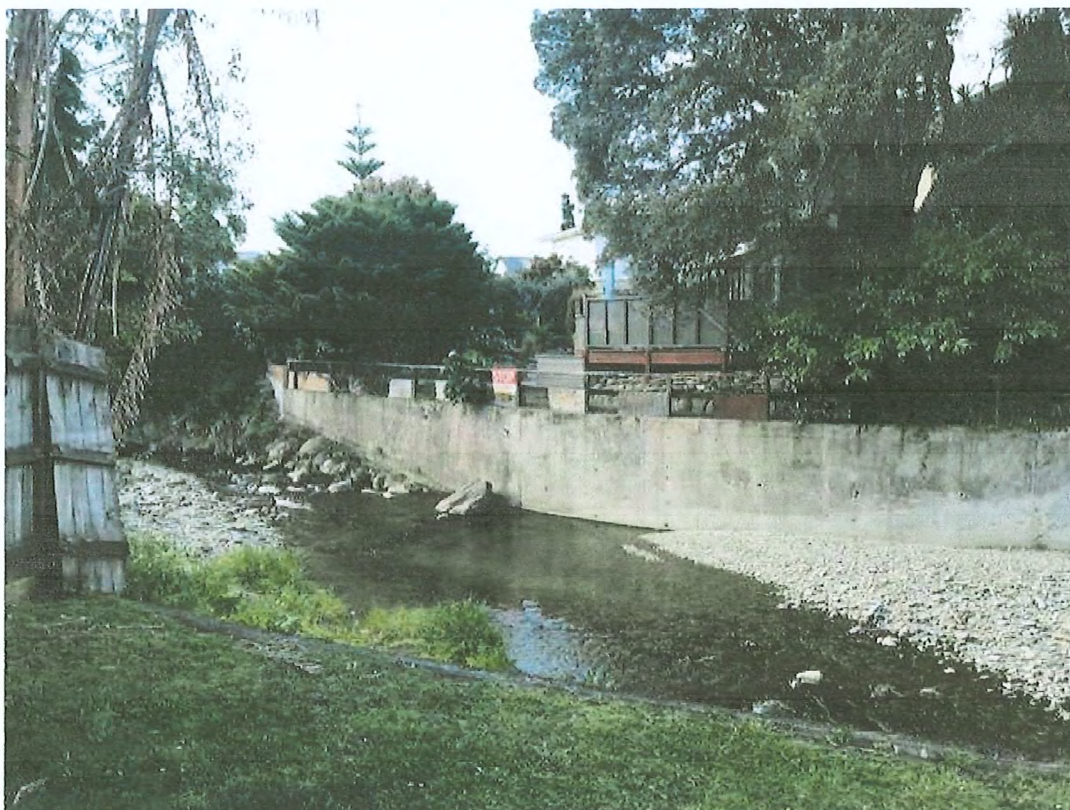
#1B - The Maitai River from Domett St bridge looking downstream - FULL FLOOD



#2A - The Maitai River just upstream of Domett St bridge - normal flow



#2B The Maitai River just upstream of Domett St bridge - in FULL FLOOD -17/8/22



#3A - Brook Stream - from 155 Nile toward 52 Domett St - normal flow



#3B- Brook Stream - from 155 Nile toward 52 Domett St - in FULL FLOOD -17/8/22



#4A - Brook Stream - looking down to Domett St bridge - normal flow



#4B - Brook Stream - looking down to Domett St bridge - in FULL FLOOD -17/8/22

As you can see in this pictures the Brook Stream is flowing over the edge of the concrete channel and into the grounds of Wainui House at 155 Nile St.

At this time the Brook Stream was flowing at **30** cumecs and the Maitai River was running at it's biggest volume in the last 40+ years at **330** cumecs at Avon Terrace (- some 300 cumecs just above it's junction with the Brook) - see the cross-section of the river page 11



#5A - Brook Stream - close up of the Brook showing the normal opening under the Domett St bridge around 15m W x 3 m H



#5B - Brook Stream - close up of the flood running under the Domett St bridge - with only around 15 cm of clearance

Due to the extreme level of the Maitai River, the Brook Stream, as it exits at the Domett St bridge, was almost at full capacity, as shown in the photo #5 on page 6 above, with just 15 or so centimetres of clearance left under it. The Brook had slowed to almost a crawl due to the back pressure from the flooded Maitai .

The Brook was at a 30 cumecs of flow at the time....

the normal size of the main channel is 2.9 m deep x 12 m wide = ~35 m² in area ...

so the speed of the Brook with this flow is just under 1 m/sec ...

Quite slow, - So with this flow or bigger in the Maitai River, the Brook Stream has a very restricted outflow under the Domett St bridge of just around 30 to 35 cubic metres per second. It can't take any more capacity ...

But the predicted flows for the big 1% 100 year 2130 flood are estimated, by Tonkin & Taylor in their flood plain modelling, as **568** cumecs for the Maitai River and **97** cumecs for the Brook Stream respectively as shown on the two tables below.

Predicted river flows:

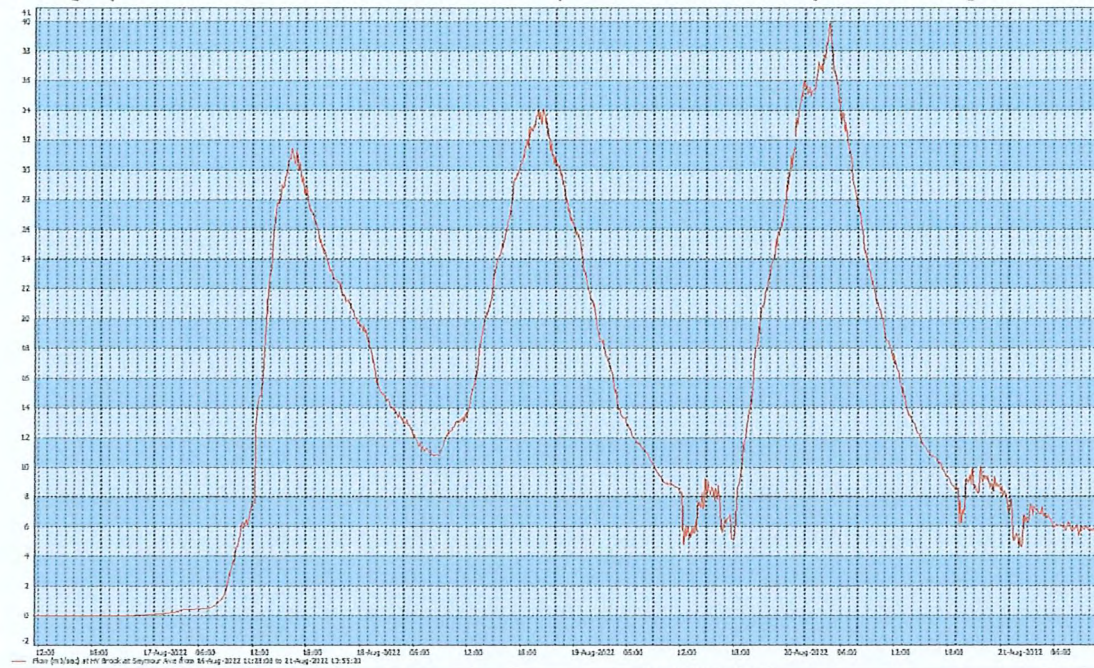
Maitai River at Avon Tce.

Scenario	Location	Peak discharge (m ³ /s)
5% AEP storm, Present day	Maitai 13900	276
2% AEP storm, Present day	Maitai 13900	348
1% AEP storm, Present day	Maitai 13900	401
1% AEP storm, RCP 8.5M climate change scenario to 2130	Maitai 13900	568

Brook Stream at Seymour Tce.

Scenario	Flow at Seymour Tce gauge site (Ch4009, model version MaiBkYk_202103v016) m ³ /s
Present day 5% AEP (20 year)	43
Present day 2% AEP (50 year)	56
Present day 1% AEP (100 year)	67
2130 RCP8.5M 1% AEP (future 100 year)	97

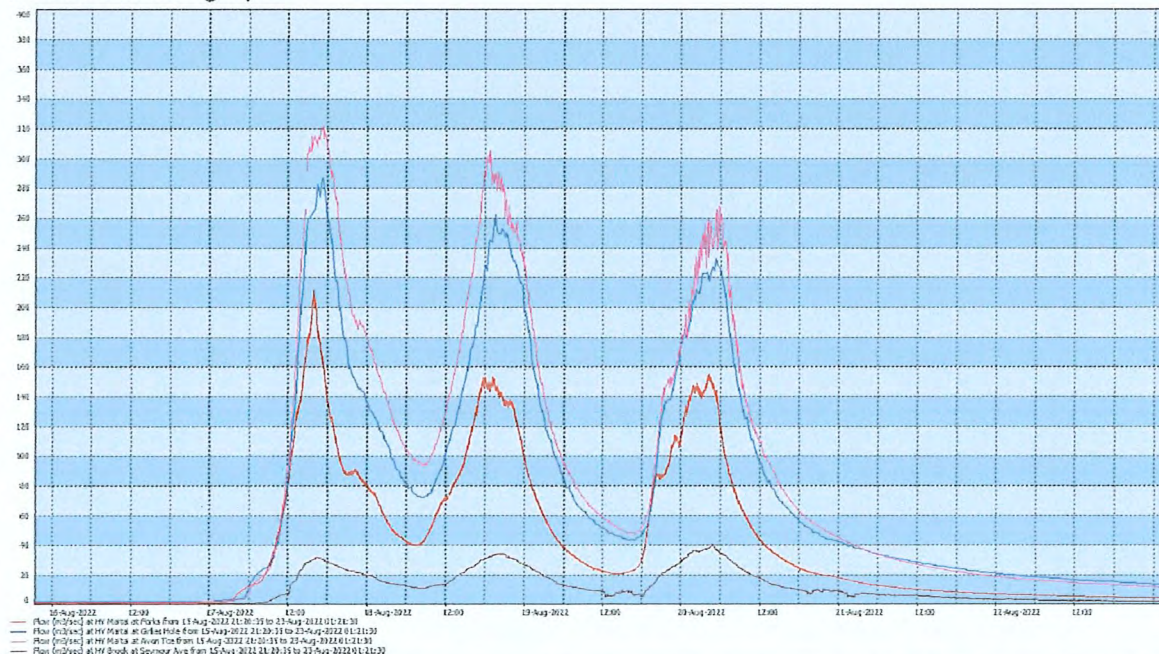
The graph below shows the Brook Stream peaks over the 3 days of the August event



This clearly show that the Brook Stream was only running at **30 cumecs** (just a ~10 year event) at around 4.30pm when the Maitai River was running at **330 cumecs** (so ~300 cumecs just above the Domett St bridge.) (which was an almost 50 year event ie 2%)

The Brook then increased in flow for each of the following 2 days of the event ... to 34 cumecs around 11 pm on Thursday and then peaked at 40 cumecs around 6 am on Saturday morning (at just under a 20 year event ie 5%)

The Maitai River ran strongest on the Wednesday and less on the following 2 days as can be seen in this graph



At Avon Terrace it ran 322 cumecs on the Wednesday the 17th, 305 on the Thursday 18th and 270 on Saturday morning, the 20th, so getting smaller peaks each day.... whereas the

Brook Steam was increasing in flow each peak - 30 cumecs on the Wednesday , 34 on the Friday and 40 on the Saturday morning.

ALL of these peaks came over our back river wall and into our garden but because the Maitai was down to around the 300 cumec on the second day and 270 on the third, the Brook Stream had no issue getting out under the Domett St bridge and therefore did not flow over the wall into Wainui House as had happened on the Wednesday afternoon.

Once the Maitai River gets to around the 320 mark it fills up the complete area under the bridge available for the Brook Stream to flow out of and as the Brook is a mere minnow compared to the mighty Maitai, its exit is severely restricted.

- In this flood the Brook was running at around 1/9th of the Maitai flow.

The Maitai River's peek for a 1% 100 year present day flood level is predicted at 401 cumecs which means it will be 20% higher than the August event.

The map below is the flood model overlay that NCC planners are using for Plan Change 29 ... the main blue colour area is the 1% 100 year present day flood of some 67 cumecs for the Brook Stream ... the dark and light blue squares are for the 1% future 2130 100 year flood some 97 cumecs.... **the red line** is the observed flooded area from the August event on the Wed when the Brook was just flowing at **30 cumecs** but was blocked from exiting under the bridge to the Maitai ... this is 37 cumecs less flow than the predicted blue



flooded area. We would contend that this map was done assuming the Maitai was at a normal flow of just a few cumecs.

But this quite small, 10 year, event in the Brook covered most of the 1% present day flood and some of the future 1% - 2130 flood ...

In the future 2130 scenario the Brook Stream will be running at **97** and the Maitai River will be at a massive **568** cumecs ... some **240** cumecs more than August event.

So the Domett St bridge will only allow **30 to 35 cumecs** when the Maitai is in a flood state that is bigger than **320 cumecs!!**



Where is **the missing 60+ cubic metres a second** of water going to go? (97 cumec flow less 35 max exiting under Domett St)

Potentially one can assume the main river would be substantially higher than in the August event ... blocking the bridge completely and possibly coming over it ... in so doing would limit the outflow of water from the Brook Stream even more ...

As you can see from the map above the land around Wainui House (155 Nile St) is pretty flat with the edge of the wall being the ~8 m contour so the area to the 9 m level is around 3000 sq m **but at 60 cubic metres a second this would fill in LESS THAN A MINUTE !!**

The next metre in height takes you out to upper Domett St street and all the way over to Alton St. and across Hardy St. at NMIT **so all of this land has the potential to flood** as this water can't get out of the Brook Stream any other way other than to flow straight ahead at the last big bend through 47A and 45A and 45 Domett St. out to Hardy St, also it may just flow straight down Barrington Way as this is also on the 9 m topographic line....

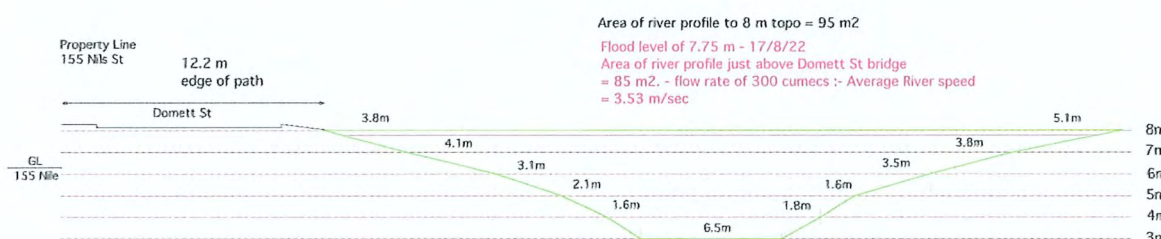
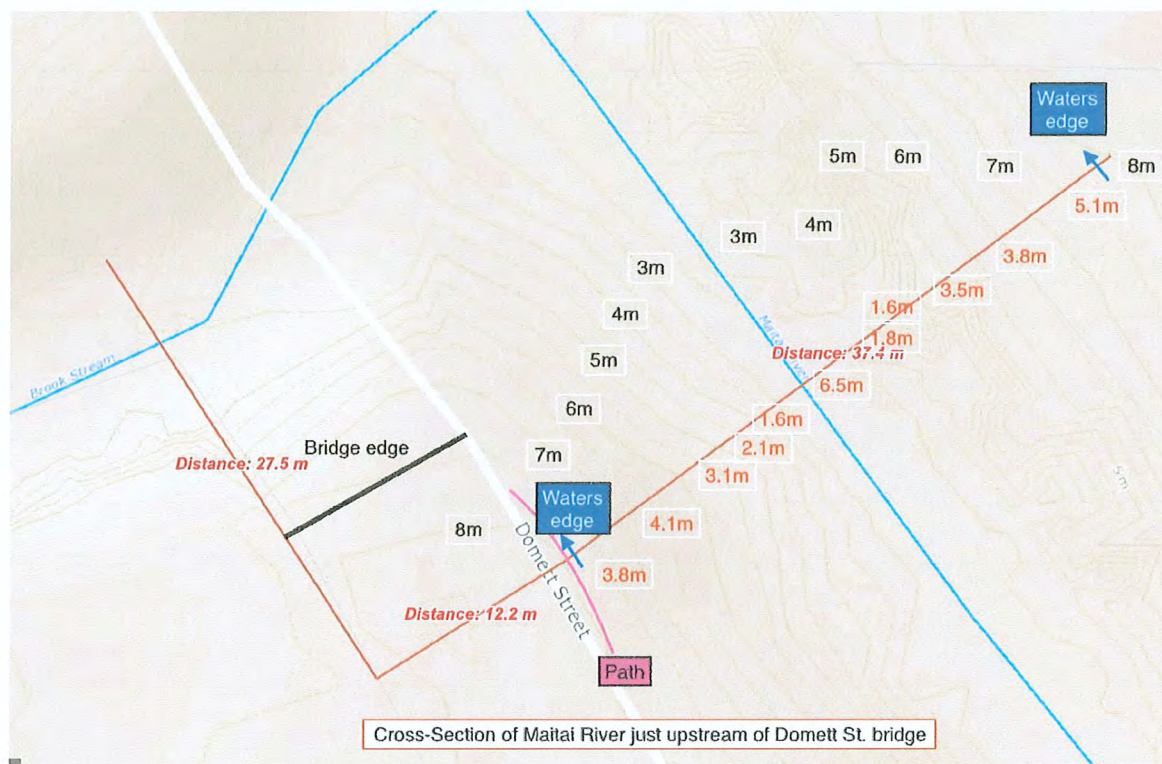
IN conclusion we would contend that the existing flood mapping for the Brook has been wildly under estimated and this whole block may be flooded in the next big one if the Brook and Maitai peak flows coincide, which is most likely in a major storm event.

We were lucky back in August that this did not happen as when the Brook Stream was at 40 cumecs, the river flow was uninterrupted at the bridge ...and it could get away ...

We measured the cross-section of the river above the Domett St bridge to compare with locals as to where the August flood came to.

The flood level on the 17th August last year, at 330 cumecs, was at the 7.75 m level which is just 15 cm below the underside of the Domett St bridge. (see picture #2B)

So with 568 cumecs where will the level be ?? the extra 238 cumecs at 3.5 m/sec would require 68 m wide at full flow at 1 m deep ... - There is no way you can get this flow here as you have roads , trees and houses...



Long before the river got to this flow rate it would flow over Domett St. at the rubbish bin and then flow directly into Wainui Houses lower back yard compounding the issues for the Brook Stream flow ...

Conclusion - the flood maps for the Brook Stream, as prepared by Tonkin and Taylor, ... are wildly inaccurate and misrepresent what would actually happen in a 50 to 100 year flood event for the block bounded by Nile, Hardy, Tasman and Domett streets and this area

should be removed from HCZ and be included with the lower half of Domett/Tasman in the Residential Comprehensive Area .

The photo below shows the observed level of the floodwaters on the 17th August 2022 at 12 Tory St which is directly across the river on the end of the cross-section on page 7. Around 3/4's of a meter higher and the water would have been flowing around the house and out onto Tory St.



This photo shows the observed flood level at 164 Nile St just above the Nile St bridge . An increase to the 1 in 100 flow rate of 401 cumecs would see the water flowing over the lower end of the bridge and flowing down Nile St and into Tory street



The below picture shows the predicted extent of flooding with the Brook running at 50 year



or above event when the Maitai is also running at 50 year and above event.

There are some other major issues:

1. Is that during a flood, of this nature and duration, the channel that the Brook flows along fills with gravel just after the last bend by our house at 52 Domett St ... so goes from a clean max area of 35 sq metres to just 20 sq metres thus further restricting the flow ... This means with the Domett St. bridge blocked by the Maitai River in full flood ... the channel upstream of the bridge will only have capacity for some 20 to 25 cumecs of flow, further compounding the issues.
2. The entrance to the culvert under Nile st is just 20 square metres in area and at 97 cumecs this means that water must be flowing here at ~ 5 m/sec ... which is pretty fast for a section of river that immediately turns 90o right under Nile St the exit is double the area which is fine but **will the water get in here without overflowing** through the round-about and straight down Tasman St? So all of Nile St could be flooded along with Tasman St and the two block north of Nile St.

3. Tonkin and Taylor have made the Kainga Ora development at 107 Nile St build up 700 off the existing ground level due to the possibility of flooding from the Brook ... now whether this comes from the "under" Nile St. culvert being too small and overflowing or from the Brook not making the bend downstream of Manuka St is irrelevant as most of both of the blocks north of Nile St will then be inundated, as will 3/4's of the Wainui House site at 155 Nile St.

Entrance



Exit



RMA Submission Form for Publicly Notified Plan Change 29

Return your submission by 4pm on

~~Tuesday 19 September 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: S720
Date Received Stamp: 30/10/2023
NDOCs No: 539570224-17746

*Required

Submitter Details

Full Name*	Mary Bernadette Gavin		
Organisation	None - Individual		
Contact Person	Mary Gavin		
Postal address*			
Telephone*		Email*	marygavin58@gmail.com

Trade Competition*

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

☒ No, I **could not** gain an advantage in trade competition through this submission.

Council Hearing*

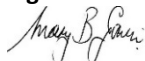
☒ Yes I wish to be heard in support of my submission. If yes:

☒ Yes, I would be prepared to consider presenting my 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*



Date*

30th October 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:

*Inner City and City Fringe
Heritage*

Oppose the Plan Change

My submission is*:

See attached pp 1-5

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

See attached pp 1-5 and summary page 5

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 by Mary Gavin, QSO.

I wish to be heard in support of my submission

Statement: I **OPPOSE** NRMP Plan Change 29 in its current form and **REQUEST** that it be withdrawn in total from the Annual Plan considerations for the following reasons:

- A. Public agitation.** The unprecedented volume of feedback at public meetings and from social media over the last 2 months has clearly demonstrated that there is strong public opinion against many aspects. This feedback is polarising and divisive at a time when our community is already negatively impacted and fragmented by environmental, political, social and economic misfortunes. It is very insensitive to inflame insecurity and entrenched factionalism in the city at this time.
- B. Risk** Tinkering with compromises developed from the submission process poses an unacceptable risk that the good features of PC29 will be rejected because they are bundled with adverse outcomes.
- C. Proven Flaws.** Professional expertise shared at public meetings by demographic, architectural, planning and heritage sectors have identified serious flaws in the information informing and underpinning some key decisions in the Plan
- D. Irresponsible spending for an interim response.** NCC's stated position is that Plan Change 29 is intended as an interim response as expressed in the Mayor's Foreword to the document and in PC29 S32 p 9. : *Mayors Foreword – 'Plan Change 29 is not a full plan review, rather it is being progressed as an interim response while the [Draft Whakamahere Whakatū Nelson Plan](#) (Nelson Plan) is on hold, in recognition that housing supply and affordability is a critical issue within Nelson. A full plan review will be progressed once the new legislation, the Natural and Built Environment Act (NBEA) and Spatial Planning Act (SPA) are in place. Content originally developed for the draft Nelson Plan process has been picked up and incorporated into the NRMP via proposed Plan Change 29'.* It is clear that this response to housing shortages and unaffordability is inadequate to meet the stated aims and is a waste of resources.
- E. Political ambivalence.** Plan Change 29 does not have unanimous support from the elected Councillors as evidenced by the tightly contested Council vote on 14 September 2023 on the motion to withdraw Plan Change 29, and instead consult on it as a draft. This was confirmed in an email to me from Mayor Nick Smith on dated 12 September 2023 stated: *It is my view in hindsight that Council should have consulted on a draft form of plan change.* Withdrawing PC29 is an opportunity for NCC to take prompt, decisive and courageous action to reassure citizens that they have been heard and understood and that their time and potentially a great deal of ratepayer money will not be wasted in defending the indefensible through a lengthy legislative process.

Request to Council - withdraw Plan Change 29 from the current Annual Plan submission process.

Statement: In the event that PC29 is not withdrawn as a consequence of this public consultation process, I wish to submit on the following issues and to make 7 supplementary requests to Council :

1. I oppose the regulations within the High Density Residential Zone (HRZ) and DO16.1.1ii, Chapter 8, Inner City Fringe if they allow buildings up to 22 metres in the inner-city precinct.

At the public meeting held at NCMA on Wednesday October 4th, Mayor Smith, in response to question said that the new zoning would allow buildings up to 8 storeys high and that he would welcome this. I was unable to reference the source for this in PC29 Chapter 8 or in Chapter 5 DO16. However, the consequences of such building intensification would completely ruin the character of inner city Nelson for both retailers and residents. Sunlight angles are already crucial especially for the hospitality sector where the few cafes which have outdoor seating in the sun have significant advantages over those whose sun is blocked, as is acknowledged in Chapter 8 IC2.1

PC29 data sources appear to have disregarded previous and current plans and strategies, all of which had hundreds of hours of community voluntary input, such as *City for all Ages* [2021] ; *Thematic Historic Overview of Nelson*, [2011]; *Taonga Tuku Iho Strategy* [2022-2032]; *Heart of Nelson Strategy* [2008] . Many of the proposals are in direct conflict with the findings of these reports which emphasise values of inter-connectedness, accessibility, communal spaces, holistic and integrated planning perspectives etc.

It is noted that PC2 emphasises exceptions and exclusions and is clearly restricted to planning for the built environment only. Although in the innercity precinct the effects of new development on the heritage values of adjacent scheduled heritage buildings will require resource consent as a restricted discretionary activity, the Mayor's response sends a clear message that those exercising the discretion may not prioritise heritage values over commercial ones.

1.a Request to Council – reconsider the maximum height allowances for the inner city precinct alongside former and current reports and proposals for the area

2. I oppose any PC29 changes which are based on unsubstantiated, incorrect or debunked assumptions about which demographic groups favour or need housing intensification

Despite the provisions outlined in RE2i and RE2.3, the social engineering inherent in unchallenged generalised statements about potential advantages is dangerous e.g *Encouraging people to live close to commercial centres, amenities and places of employment, can reduce demands on energy use for commuting and a reliance on private vehicles for transport.*

I am in the 70+ age group and live on the 4th floor of a high rise apartment in Trafalgar Square, being the southern extremity of the Inner City Zone. The assumption that this would be a preferred housing option for those of an age to downsize is flawed and is also not a viable financial option for many. Many of my peers do not want to live in accommodation in the inner city where the building's essential security features can also pose barriers to easy parking, informal visiting, neighbourhood coherence and the spontaneous interactions which reduces isolation and loneliness. Access to the drab and sparse inner city facilities is currently not a drawcard as NCC recognise themselves (Nelson Mail 30/10/2023). Reversing this complex situation of Nelson's inner city decline is not achieved by quick fix regulatory tweaks.

PC29 appears to have ignored the recent research results from the excellent *Housing We'd Choose* study conducted by m.e consulting in 2021 to help inform the NPS-UD. The study sampled 600 residents in the private and rental market in Nelson-Tasman. The highest ranking preferences in all the surveys were consistently for accommodation that was sunny with a freehold title. This reflects the recurring theme for all housing reports about the need for warm dry homes. Sunlight in homes is strongly aligned with warmth and also with triggering serotonin, essential for balanced mental health.

Although Nelson is renowned for its sunshine hours, the nature of multi-level apartment living is that individual units very seldom have a 360 degree aspect, thus compromising access to sunlight for significant parts of the day. Neighbouring buildings 22 metres high cast a very long shadow. The data showing projected population growth which will lead to housing pressures must also be

more closely examined as proved by Dr G Hayes in his submission to PC29.

2.a Request to Council – review decisions based on outdated or non-scientific demographic data.

1. I oppose Cancellation of the Heritage Project Fund grants scheme as part of the 2023-24 Annual Plan.

This cancellation means property owners can no longer apply to the Council for a grant to maintain, repair, restore, stabilise or to procure advice and work for seismic strengthening of heritage buildings, objects and sites of heritage value. This decision is contradictory to the concurrent statement in PC29 Section 32 Evaluation report p248 statement *The Building Act requires local authorities to ensure that buildings are safe, promote physical independence and wellbeing. A key heritage management challenge, therefore, relates to the need to achieve a balance between recognising and managing the values associated with historic heritage, and providing for their ongoing use, care, and retention.*

This contradiction between stated policy and actions shows a lack of support from rate-payer elected representatives that is both cynical and counter-productive.

3.a Request to Council – restore the Heritage Project Fund grants scheme

2. I OPPOSE the adoption of Option 2 in Table 48 on page 255 of the Evaluation report *Amending the heritage criteria, and updating the heritage schedule* on the grounds that the revised heritage register in NRMP Appendix 1 contains inaccuracies and insufficient research, possibly constrained by budget and COVID limitations.

I SUPPORT the adoption of Option 1 i.e the retention of Status Quo,

The claim in the Evaluation report p 255 that *the significance of all scheduled heritage items and precincts within scope of PC29 have been reassessed against the updated criteria and their heritage values documented* is confusing and outdated. Assessment of most properties were done by HPC, Dr A McEwan remotely in 2018 and some revised updated in 2002, also apparently remotely.

My concern extends to many aspects of PC29 Appendix 1, especially the recommendations in Section AP3I, and Section 24 of the Evaluation report. The stated purpose of the changes is contradicted by some of the potential outcomes. e.g p248 references 'heritage values' as in *The community needs information about the nature and extent of built heritage, including what heritage values they hold, in order to make informed decisions relating to appropriate subdivision, use and development.* However, the discussion of heritage values in AP3I is interchanged with an criteria of significance to recommend deletion from the register and it does not appear that a heritage conservator has contributed to the information informing Plan Change 29.

Heritage is an essential part of the Nelson's cultural values. Preserving, promoting and fostering community identity and connection with evidence of the past within the existing landscapes is essential. It reflects the way our stories become histories. Therefore heritage protection and conservation principles, processes and practices need to be applied to ensure that change protects identified heritage values. I found working through Appendix 1 of NRMP confusing and in places contradictory and some of the recommendations of AP3I were short-sighted and premature. This may well have been because data quoted was not always comprehensively or coherently extracted from its source.

4.a Request to Council – Adopt Option 1 i.e the retention of Status Quo and allow time for a full review and reconsideration of the classifications in PC29 – S32 Report Appendix 3I.

- 1. I Oppose** Deletion of the AP 23 Design guide and rules for Wakefield Quay and the deletion of specific properties along Wakefield Quay from the NRMP register.

Section 32 Evaluation report p 253 reads: *'Wakefield Quay Precinct Wakefield Quay Precinct is not a heritage precinct, but it is identified as an area with special qualities that is suited to multi-level development if done in such a way as to protect these qualities. This effectively makes the Wakefield Quay Precinct a character area in the NRMP. The concept of Character Areas has not yet been properly worked through as a clear tool for either the NRMP or the draft Nelson Plan. As such, PC29 proposes to remove the Wakefield Quay Precinct as there is insufficient evidence to support retaining Wakefield Quay as a character area.'*

This very weak rationale, based on the absence of a definition for 'Character Areas', makes very shameful reading in a city whose names, street names, keys vistas etc honour maritime history; a seafront which is rich in pre-European and colonial stories; and a leading contemporary industries with reputations for excellence in the maritime and aquaculture industries.

In recommending the deletion of some Wakefield Quay properties from Appendix 1, Dr A McEwan cites changes such as fenestration and enclosing of verandas which compromise the authenticity of the building. This denial of 'authenticity' is a denial of the stories which these adaptive changes tell about the aspirational pattern of settlement in the town, the population expansion, growing prosperity and our predecessors' increased access to new housing materials and technologies. This silencing of our forebears is unacceptable.

5.a Request to Council - Reverse any decisions relating to Wakefield Quay deletions pending a more comprehensive review of planning for this area.

- 1. I Oppose** the deletion from the NRMP heritage register of the following cairns and markers listed in Appendix 3I, namely:

Dun Mountain Railway Memorial, road reserve opposite 130 Brook Street
Nelson Haven 1841 landing memorial, 176 Haven Road
Smith memorial, Maitai Valley Road, Nelson [near Smith's Ford]
Wakefield 1841 landing stone, Rocks Road [opp Richardson Street], Nelson

These markers were all erected by volunteers after extensive research and tell significant stories about pre-European and colonial history. If they are removed from the register, it disrespects those whose stories are commemorated and removes any requirement for the markers to be preserved, incorporated within or re-sited close by to new developments on the sites.

6.a Request to Council – Reinstate the 4 cairns and markers listed in Appendix 3I

- 2. I Oppose** the Deletion of Appendix 8 and 8.1 being the Church Hill View Shaft Overview and AP8.1 location

The rationale for this deletion is hard to comprehend as a professional planning statement as it claims the view is already compromised by trees. Deciduous trees at spaced out intervals surely cannot be compared with the solid obstructions of buildings. If this iconic viewshaft is lost by the removal of protection or negligence in enforcing regulations, it will be an irretrievable loss and a serious dereliction of duty of care by NCC.

7.a Request to Council – reinstate Appendix 8 and 8.1 in NRMP

Summary of Requests to Council in respect of Plan Change 29:

Primary Request - withdraw Plan Change 29 from the current Annual Plan submission process.

Supplementary Requests:

- 1.a** Reconsider the maximum height allowances for the inner city precinct alongside former and current reports and proposals for the area
- 2.a** Review decisions based on outdated or non-scientific demographic data.
- 3.a** Restore the Heritage Project Fund grants scheme
- 4.a** Adopt Option 1 i.e the retention of Status Quo and allow time for a full review and reconsideration of the classifications in PC29 – S32 Report Appendix 3I.
- 5.a** Reverse any decisions relating to Wakefield Quay deletions pending a more comprehensive review of planning for this area.
- 6.a** Reinstate the 4 cairns and markers listed in Appendix 3I
- 7.a** Reinstate Appendix 8 and 8.1 in NRMP

Belinda Roselli
20 Clairmont Heights
Stoke, NELSON 7011

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

To Whom It May Concern

Submitter

Full Name: Belinda Roselli
Address:
Telephone:
Email: belindar@protonmail.com

Signature of Submitter:



Date: 30th October 2023

I COULD NOT obtain an advantage in trade competition through this submission.
I DO NOT WISH to be heard in support of my submission.

I understand we must prepare for increased residents making the NCC rated area, as their future homes. What an opportunity this is to "get it right" for future residents, however, without fully discussing with existing residents I reject PC 29 in its entirety, but if it is *not* rejected then these are my points.

1) Hearing Panel

I ask the Council to appoint Councillors from either side of the Sept 14th vote. Yes the 2 Councillors appointed presumably have the qualifications, but they have both voted FOR PC29. Balance is key.

2) NCC's Population forecasts

I ask the Council to use Statistics NZ medium projection forecasts, as recommended by the NPSUD Capacity: Guide on Evidence and Monitoring, para 2.1.1 and amend its intensification requirements accordingly.

3) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a CRITICAL part of life and the reason many new New Zealanders and New Zealanders alike, choose to live in Nelson.
- b) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29.

4) Intensification

- i) I strongly oppose the High-Density Residential Zone. I ask Council to remove HDRZ from the plan completely.
 - ii) I ask Council to apply the new General Residential Zone equally across the entire Nelson district on the introduction of PC29.
- 5) On-street carparking
Increased intensification will result in more on-street car parking and the narrow streets of Nelson will become a hazard to pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles. This will cause fracturing of neighbourly relations and communities.
- 6) Social Housing
 - a) Significant care and attention must be considered with all social housing because there are too many examples across the country where this has resulted in disharmony in communities.
 - b) High density living for the homeless and vulnerable will not result in healthy outcomes for all concerned. Careful design controls from the concept stage onwards, will be rewarded in the long run, with less support required by Mental Health Services, Charity Services, Police and Social Services.

Thank you for this opportunity of presenting some of my concerns about our little city.

Submission Form Cover Sheet

Submission

on Plan Change 29 PLAN 29
(Number) (Name)

RCC: 31/10/23

Office use:	
Sub#	<u>5722</u>
RAD#	<u>539570224</u> 17748

to the Nelson HOUSING INTENSIFICATION Plan
(Insert name of Plan e.g. 'Resource Management' or 'Air Quality')

1.0 Submitter Details

Full Name	<u>MARY AIRE</u>		
Organisation	<u>HOUSEHOLDER</u>		
Contact Person	<u>MARY AIRE</u>		
Postal address	Business Phone		
	Home Phone		
	Mobile Phone	<u>027 312 0161</u>	
Email	Fax		
Address for service (if different from above)		<u>Mary Aire</u> <u>30/10/23</u>	X Sign & date here
		Signature (of submitter or person authorised to sign on behalf of submitter. Not required if submission made by electronic means).	
		Date	
Number of extra pages attached to this form			<u>2</u>

2.0 Council Hearing

Do you wish to be heard in support of your submission?	
Yes ☒	No ☐  (If 'No', go to section 3.0)
If you answered 'Yes' to being heard, would you be prepared to consider presenting a joint case with others who have made a similar submission?	
Yes ☐	No ☒

3.0 Council address for service

Please return your submission by 5pm on the closing date (see Plan Change document) to: Plan Change submissions Nelson City Council P.O. Box 645 Nelson 7040 (Hand Delivery or Courier to: Ground Floor, Civic House, 110 Trafalgar St, Nelson 7010. Email to: enquiry@ncc.govt.nz (Place "Plan Change [No.] submission" in the subject line). Fax to: 03 546 0239. SEE PLAN CHANGE DOCUMENT FOR SUBMISSIONS CLOSING DATE
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Submission Form Content Sheet

1) My submission relates to

Plan Change 29 PLAN 29
(Number) (Name)

Please enter the specific provision that your submission relates to in the boxes below (see Part 5.0 of the Cover Sheet for examples)

Plan Change Section Number	Plan Change Page Number	Unique Identifier (where given)	Topic Name

2) ☐ I support the above Plan Change section OR ☐ I support in part the above Plan Change section OR ☒ I oppose the above Plan Change section

3) My submission is

State in summary the nature of your submission

I oppose Plan change 29 in its current form.
This is on the basis of - loss of sunlight
- loss of individual character in houses/gardens
- loss of green spaces in the inner city
- increased pressure on street parking
- Nelson not being a Tier 1 city.
- permanent destruction of Nelson's heritage character and attractiveness

4) Reasons

Describe the reasons for your views

From a gardener's point of view, our city's individuality, ecological health and beauty, are inextricably linked to its gardens. This, and the unique set of conditions (microclimate, plant, bird, soil and insect life) each garden provides, must be taken into account with any proposed changes. Poised, as we are, on an environmental tipping point, it is incomprehensible to me that the council is proposing to accelerate this process by enabling the filling of green space with buildings, blocking sunlight and replacing old established plantings with new formulaic ones. Our 556th meter inner city, organic garden is a turf for many diverse species of plants, insects and birds. The latter including bantams, blackbirds, starlings, sparrows, ducks, skylarks, waxeyes, wrens (unfortunately), fantails, woodpeckers, bellbirds, kōiwi, kingfishers and once, a morepork. We grow enough plants, fruit and vegetables to swap or give away to family, friends, neighbours, a city café and a supply a free bar on the street. When we go away friends and neighbours ask to come and sit in it. Visiting musicians (we live close to the School of Music) also ask if they can spend rehearsal breaks here and drop off their compost.

During the 37 years we have lived here it has been a place of vitality, beauty and connection for others. Blocking the sunlight with more buildings would destroy it.

5) The decision I seek from the Council is that this part of the proposed Plan Change be

☐ Retained OR ☐ Deleted entirely OR ☒ Deleted and replaced as follows OR ☐ Amended as follows

Where amendments are sought, provide details below of what changes you would like to see

- RESIST TEMPTATION to ADOPT TIER 1 DESIGNATION
- RETAIN ^{EXISTING} NOTIFICATION REQUIREMENTS
- GIVE MORE ATTENTION to THE EXISTING DWELLINGS
 - are they generally occupied or, for example, solely used as holiday rentals?
 - are they a significant element in the character/conditions of the existing neighbourhood?
 - are their gardens part of the character of the area.
- GIVE MORE CONSIDERATION to the EFFECTS of VERY HOT DRY SUMMERS, HIGH WINDS, TORRENTIAL RAIN ON AN OVER-BUILT NEIGHBOURHOOD AND POTENTIAL LOCKDOWNS.
 - particularly the state of emergency scenario, whether its natural disaster, pandemic or political crisis.
- GIVE MORE CONSIDERATION to LONG TERM LEGACY of LAX PLANNING
 - compare high rises in Newtown Wgtn with the carefully planned new estates in Christchurch for example.

Submitter name MARY AYRE

Signature Mary Ayre Date 30th October, 2023

Please use additional content sheets if you have submissions to make on other aspects of the Plan Change, and attach these to the cover sheet.

If you are submitting on more than one Plan Change, please ensure you use a separate Cover Sheet for the submissions on each Plan Change, with the Plan Change number and name clearly identified.

SEE PLAN CHANGE DOCUMENT FOR SUBMISSIONS CLOSING DATE

RMA Submission Form for Publicly Notified Plan Change 29



Return your submission by 4pm on
Tuesday 19 September 2023 to:

31 October
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: 5723
Date Received Stamp: 31/10/23
NDOCs No: 539570224-17751

*Required

Submitter Details

Full Name*	YVONNE ELAINE THOMPSON		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	thompson.yvonne2@gmail.com

Trade Competition*

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

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

Council Hearing*

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

Public information

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

Yvonne Thompson

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 October 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)

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).

I would like Nelson City Council to reject plan 29 in its entirety as it stands. It needs better data and a better plan for broader satisfaction.

Reasons

- ① High rise of 3-6 storeys would fracture existing well established older residential areas. Communities that are cohesive and neighbourly would be seriously impacted.
- ② The effect of blocking skyline & light would result in colder shaded properties possibly sandwiched between 2-6 storey blocks. This would affect solar panels & vegetable gardens, both of which have been encouraged to be installed. Also the resulting loss of sunlight will cause more depression & mental illness.

- ③ It seems there would be little or no control over what & where high rise can be built, no avenue for input. It would be costly for both parties if a dispute arises. - Council should have more controls & oversight in place.

- ④ I am in favour of the inner city spaces that already exist being used for high rise, provided it doesn't affect well established surrounding residential buildings. - An urban planning organised approach is needed rather than the "blunt-instrument" presented. It is too important to leave to developers.

- ⑤ As the owner of an 1860ish heritage listed cottage I have many passersby commenting on this, our street and also the atmosphere & picturesque nature of Nelson's older residential areas. THIS IS WHAT MAKES OUR CITY SPECIAL.

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.

Why ruin it with plan 29! (as it stands)

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*	John Douglas William Batt		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	john@tgsurvey.co.nz

OFFICE USE
Submission No: S724
Date Received Stamp: 30/10/2023
NDOCs No: 539570224-17752

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.

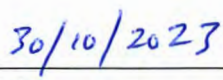
Public information

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*

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)

I oppose the proposed Plan Change 29 changes to all Chapter 7 Residential Zone rules relating to maximum building heights and daylight admission.

Tall buildings should not be part of our residential zone areas as they will lessen daylight & sun to surrounding properties, reduce privacy and views.

The correct place for tall buildings, in Nelson, is the central business district.

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).

There be no changes to the current residential zone rules for maximum building height and daylight admission.

Note:

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

