

Online submission

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

Submitter No.	S301
Submitter Name	Lyndon Chandler
Submitter first name	Lyndon
Submitter middle name	Shane
Submitter surname	Chandler
Submitter is contact	Yes
Email	nzlyndon@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	Sunlight Recession Planes and Shading Effects - Day light angles should not be changed. Multi storey buildings - 3,4,5,6 storey buildings should not be permitted in existing residential areas of predominantly single or two storey buildings. If multi storey buildings are developed in an area of single house zone, that cannot realistically be said to be predominantly in accordance with the character of the area and compromises existing residents daylight, sunlight, privacy and quiet enjoyment of their homes. 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.	Reject plan in its entirety

Online submission

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

Submitter No.	S302
Submitter Name	Gina Yukich
Submitter first name	Gina
Submitter surname	Yukich
Submitter is contact	Yes
Email	g.m.yukich@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support	Higher density housing is critical for accessibility, affordability and mitigating our overall impact on climate change. The proposed plan changes will not result in immediate redevelopment of the town centres but will allow space for growing density in the next 30 years. I believe that natural hazards have been adequately taken into account, however I am not sure that flood hazard zones in the Wood should be excluded from high density developments - these developments have access to economies of scale and can allow for improvements of surrounding infrastructure to reduce potential impacts of flooding on residents.	I am supportive of the proposed plan change 29. I believe the council should implement the proposed changes to encourage further densification of Nelsons urban areas over the next 30 years. I think it is important that natural hazards have been considered and built into the plan change as well.

Online submission

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

Submitter No.	S303
Submitter Name	Iain Menzies
Submitter first name	Iain
Submitter surname	Menzies
Submitter is contact	Yes
Email	lee.elliott@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support		Im in support of the council's plan change 29 for infill housing.

Documents included with submission

None

Online submission

Received: 31/10/2023
NDOCS-539570224-18383

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

Submitter No.	S304
Submitter Name	Cameo Capital
Submitter Company/Group Name	Cameo Capital
Submitter is contact	Yes
Email	dylanmenzies@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support	Intensification of nelson needs to occur in strategic locations for the benefit of housing and private development to encourage positive progression of the area	I support the proposed decision for intensification of residential and commercial

Documents included with submission

None

Online submission

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

Submitter No.	S305
Submitter Name	Peter Hay
Submitter first name	Peter
Submitter middle name	Charles
Submitter surname	Hay
Submitter is contact	Yes
Email	phmaitai@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	I support plans for residential intensification in Nelson but I'm very concerned at the proposed blanket "high density zone" for the whole of the inner city. The erection of high rise buildings in the current residential zone will have a canyoning effect in the immediate vicinity of these structures. This will seriously compromise existing occupants' quality of life, their sense of neighbourhood and ability to lead environmentally appropriate lifestyles,- gardening and incorporation of solar technology. Residential rates will be adversely affected by the need for radical upgrading of currently old and marginally adequate drainage and sewage infrastructure and there will be challenges around traffic congestion and extra parking needs. Theoretical population projections for the city should not drive an ad hoc indiscriminate over-response involving massive construction projects. I believe the town plan for the next 20-30 years should not enable the squandering of urban aesthetics and flexibility, and rather it should delineate a precautionary, measured approach in the inner city. The Kainga Ora residential project planned for 107 Nile street provides a good model for allowable intensification in the inner residential area, with high rise development restricted to the CB and the Mixed Use zones.	Restrict any high density living (ie dwellings three stories or higher) to the Mixed Use and Central City zones already set out in the draft Whakamahere Whakatu Nelson Plan and leave the areas currently currently marked "high density" under PC29 as they are.

Online submission

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

Submitter No.	S306
Submitter Name	Chris Phillips
Submitter first name	Chris
Submitter surname	Phillips
Submitter is contact	Yes
Email	chris@wakagroup.co.nz
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	We need to look at creating communities with green spaces around them, not just random subdivision of sections that have the potential to take peoples sunlight. Your current proposal has substantial opposition due to the fact that you have basically said that you no longer care if people have sunlight or not. For years you have made subdivision difficult for designers with the use of daylight angles, and with good reason. Why now do you suddenly consider sunlight unimportant?	I would like to see council approach the revised plan from a different angle. The current proposal allows for random subdivision in most areas of Nelson which will lead to multiple properties losing sunlight. NCC should consider certain areas of Nelson for buildings up to 4 or 6 stories high. Why do we need to have car yards in the city centre? these would be prime locations for apartments, especially those at the bottom of hills. Low lying areas in the Wood with old cold housing need to be considered for development. A whole block of houses could be brought at current market value, and sellers could be encouraged by being able to buy apartments at lower prices, hopefully leaving with them with money in the bank. I have included a plan showing some possible locations of developments. Removing a few buildings to allow for many apartments with green spaces. The one part I think you have right is the idea of allowing up to 3 dwellings on a site.

Documents included with submission

File: 1



Online submission

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

Submitter No.	S307
Submitter Name	lloyd phillips
Submitter first name	lloyd
Submitter middle name	martin
Submitter surname	phillips
Submitter is contact	Yes
Email	phillipsllloyd89@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	General Residential Zone	Oppose in part	In support of my submission I have uploaded a full geotechnical report for 17 Stansell completed by John Higginbotham of Nelson Consulting Engineers Ltd In particular I refer you to section 4.1 on pages 4&5 regarding "Land Instability Risk" which is classified as LOW. The property sustained no damage in the August 2022 Nelson rainfall event. I have also uploaded a resource consent [RM175391] granted by NCC for subdivision of 17 Stansell ave which is a double section. To summarise my submission, I have uploaded a map of proposed classification of 17 Stansell ave [green] which I would like to be changed to yellow on the basis of the evidence of the uploaded geotechnical report.	I object to my property ,17 Stansell Avenue , Tahunanui, now under plan 29, being reclassified as part of the Slope Risk Overlay Zone [It wasn't previously] I would like the classification to revert back to what it had been before.This would mean changing from green to yellow, to be consistent with the classification given to the immediately adjacent properties to the south of 17 Stansell as it was previously(see my upload showing proposed zoning changes for the area under plan 29)

Documents included with submission

Document name Current Proposed Classification of Green

File [screenshot20231017at11.00.48am.png](#)

Description

Document name Geotechnical Report

File [geotechreportfor17stansellave](#) ____

Description Geotech Report 17 Stansell ave

Document name Resource consent for 17 Stansell ave. RM175391 from NCC

File [30012018164543000151.pdf](#)

Description Resource Consent for Subdivision 17 Stansell ave

Nelson Resource Management Plans

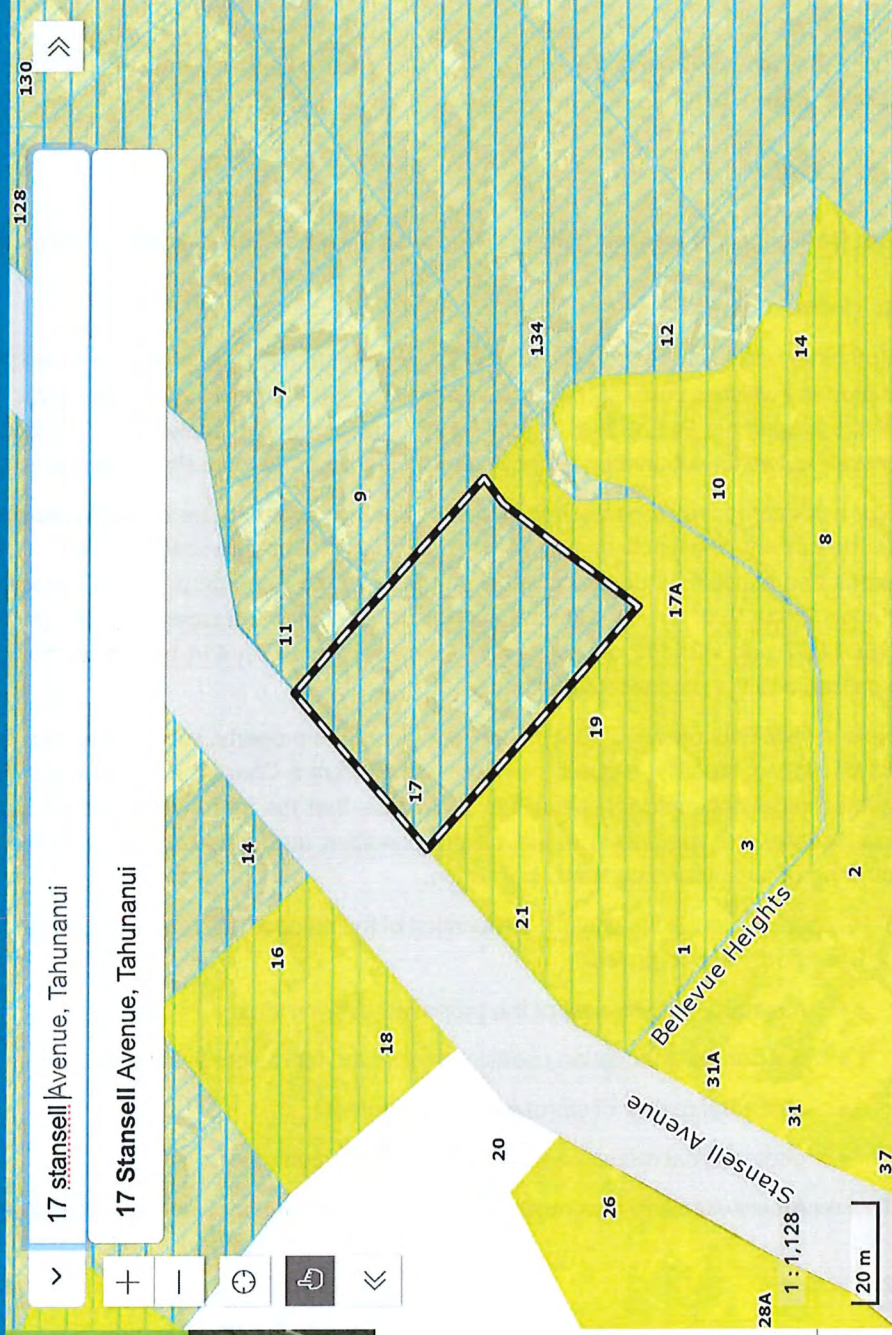


Nelson City Council
Te Kaunihera o Whakatū

17 Stansell Avenue, Tahananui

17 stansell Avenue, Tahunanui

17 Stansell Avenue, Tahananui



Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors | Top Of The South Maps

Help

Property Specific Resource Management
Plans Chapters

 [View Full Resource Management Plans](#)

🔍 Zoom to selected property

☒ Clear selected property

JUMP

Operative: 01 Sep 2004

revision: 21 Sep 2023

The following information applies to this property

IRMP Zone (Operative)



Nelson Consulting Engineers Ltd

CIVIL - GEOTECHNICAL - STRUCTURAL

16 May 2017

Job No: 17584

Lloyd Phillips

DRAFT FOR CLIENT

Dear Lloyd,

Re: Geotechnical Assessment for Proposed Two Lot Subdivision, 17 Stansell Ave, Nelson

1. Introduction

You have requested Nelson Consulting Engineers Ltd (NCE) to provide a geotechnical assessment of a property which is currently being considered for subdivision into two allotments. The legal description of the property is Pt Lot 18 & Pt Lot 19 DP 2064, which is located at 17 Stansell Ave, Nelson. The proposed two lot subdivision is shown on the *Geotechnical Site Plan* attached to this report.

Our work comprises a geotechnical assessment for two possible building areas, behind and adjacent to the current residence as shown on the attached *Geotechnical Site Plan*. The proposed building areas and associated development are outside of the Tahunanui Slump Core and Tahunanui Slump Fringe Slope Risk Overlays, therefore Nelson Resource Management Plan (NRMP) residential rules REr.74-77 and REr.112 do not apply. Likewise, Condition 414 based on those rules should not be applicable to the proposed development.

Nelson City Council (NCC) Condition 1 applies to the property, which states the *lot is on land that may be of suspect stability*, requiring an assessment from a Chartered Professional Engineer practising in geotechnical engineering. Condition 801 notes that the stormwater system serving the property is inadequate, and requires a report on the condition and adequacy of such a system as part of any building or subdivision consent application.

This report is intended to confirm the location of the mapped Tahunanui Slump, to fulfil the requirements of Condition 1 and to provide:

- a stability assessment of the proposed building sites,
- the general foundation conditions expected for residential design,
- a general review of stormwater management,
- geotechnical recommendations for development, and

This report is suitable to accompany a Resource Consent application, as required.

2. Scope

This geotechnical assessment is based on the following scope of work:

- Review of the existing documentation including NCC property records for the captioned property and adjacent land, the on-line GIS, and the NRMP,
- The corner of Pt Lot 19 is shown on *Map 13*, of the NRMP, to be partially located within the Tahunanui Slump Core and the Tahunanui Slump Fringe Slope Risk Overlays. However, as

mentioned above the proposed building areas are situated outside of the Tahunanui Slope Risk Overlays,

- Review of the proposed subdivision concept plan prepared by Jones & Associates Ltd, dated 20 February 2017,
- Review of the geology map of the area *Dun Mountain* (Johnston, 1981),
- Engineering geological mapping of the site and nearby vicinity, including subsurface investigation of the site comprising test pits and Scala penetrometer testing,
- Consultation with the client and Jones & Associates Ltd, and
- Preparation of this report.

3. Investigations

3.1. Site Description

The property is located along the northwest aspect slopes of the Port Hills overlooking Tahunanui beach, with vehicle access directly from Stansell Avenue.

Ground slopes in the lower part of the property are generally below 14°, while the slopes above the current residence are up to 33°. The topographic contour information provided by NCC GIS, show the existing residence and proposed new building areas are along the base of a gentle northwest trending ridge which borders the Tahunanui Slump scarp.

The property contains a paved driveway with a council owned timber retaining wall downslope along the road and an old concrete retaining wall upslope above the current residence. The existing residence and developed yard areas appear well maintained and from our inspection of the residence's exterior, it appears in satisfactory condition. No evidence of significant instability on-site or appreciable settlement of the dwelling was observed. The approximately 1.5m concrete retaining wall, upslope of the house, is damaged along one corner where it borders the stairs, and is leaning approximately 3° downslope. A tree above that wall is also leaning gently downslope, likely indicating only surficial soil creep.

3.2. Desktop Study

A desktop study was carried out to review the NCC property file information and NRMP for the site and neighbouring residences. As previously mentioned the property is within the Tahunanui Slump Fringe Slope Risk Overlay as defined by the NRMP. We also reviewed the NCC GIS topographic contour information, aerial photography and services of the property. The GIS stormwater plan shows a downslope stormwater pipe adjacent to the north-eastern corner of the property. There does not appear to be an established connection to this or any other NCC stormwater reticulation system. Connection to an approved stormwater system, assessed by a geotechnical engineer, may be necessary for the proposed development.

The underlying geology is described in the GNS publication *Dun Mountain*, and is described in Section 3.3.

3.3. Geology

The underlying geology of the site is shown on the map of *Dun Mountain*, scale 1:50,000 to be Port Hills Gravel Formation, comprising gravel in a silty to sandy clay matrix containing sub-rounded to rounded clasts up to 0.6m, but generally less than 0.2m across. The gravel is generally hard sandstone, siltstone and locally granite.

The property is located adjacent to the Tahunanui Slump. However, the proposed building areas appear to be outside of the actual geological boundary of the slump. As such, the condition relating to the Slump's Core Slope Hazard Overlay should not apply to the current proposed development.

The Flaxmore Fault is estimated to be approximately 2.0 km SE of the property.

3.4. Field Investigation

We undertook preliminary site visits to inspect the proposed development in relation to the property's topography and access, noting drainage patterns, slope measurements, general slope stability, and condition of retaining walls, vegetation, and the location of services as shown on the NCC GIS plan.

Our main field investigation was undertaken on 16 March 2017, comprising inspection of the site and vicinity for any evidence of significant instability, the precise location of the Tahunanui Slump scarp where visible, location of underground services by Delta Utility Services Ltd, and a subsurface investigation. The subsurface investigation involved the excavation of four test pits and two auger holes to a maximum depth of 4.9m.

The investigation was carried out over two separate days, with *Proposed Building Area 1* investigated on 17 March 2017 and *Proposed Building Area 2* investigated on 15 May 2017. Day one was undertaken using a 6 tonne digger with adjustable track width, fitted with a 400mm wide bucket and 450mm diameter auger. Day two was undertaken using a 5 tonne digger fitted with a 300mm wide bucket and 400mm diameter auger. In addition we performed eight Scala penetrometer tests located within undisturbed ground adjacent to each test pit and auger hole and throughout site for representative coverage of the areas proposed for development.

Test locations are shown on the *Geotechnical Site Plan*.

3.5. Ground Conditions

Specific characteristics of the soils encountered in test locations are described in the appended test pit and auger hole logs.

Proposed Building Area 1

The subsurface investigation at *Proposed Building Area 1* revealed an approximate 0.4m topsoil horizon, thickened in places up to 0.7m, likely due to past earthworks or surficial soil creep. Underlying the topsoil is a 1.0 to 1.5m thick, firm to stiff, medium plasticity, silty CLAY colluvium layer which generally extends to an approximate depth of 1.8m. Generally competent, stiff-very stiff, low-medium plasticity, silty CLAY residual soil or highly weathered siltstone bedrock lies below colluvium. This unit ranges from 0.3 to 1.4m thick and overlies in situ Port Hills Gravel (PHG) siltstone. Pockets of weaker weathered granite may exist within the residual soil horizon as encountered in TP-2. The slightly to moderately weathered siltstone and siltstone conglomerate PHG bedrock was generally found at below 1.5 to 2.5m deep but highly weathered residual material may extend as deeper in places.

While no groundwater was observed in test pit excavations, some mottling within colluvium indicates occasional periods of elevated groundwater may exist. The test results indicate groundwater is not likely to be a significant issue for development within the proposed building area.

Proposed Building Area 2

The subsurface investigation at *Proposed Building Area 2* revealed an approximate 0.4m topsoil horizon. Below topsoil an approximately 1.5m thick layer of colluvium was encountered, generally composed of damp to moist, firm to stiff, low plasticity silty clay. Colluvium was found to an approximate depth of 1.8m. Beneath the colluvium stiff to very stiff residual soils, composed of low plasticity, sandy gravels and gravelly sands with some clay were encountered at our test locations. These soils are derived from highly weathered granite and occasional siltstone cobbles, making up an approximately 1.4m thick mantle overlying dense, clast supported, granite PHG at approximately 3.8m deep.

At approximately 3.5m deep generally concurrent with the boundary between residual soils and PHG bedrock, a zone of moist, sheared residual soils was found containing plant roots, possibly indicating an old slip plane along this surface. A thin lens of buried topsoil, up to 50mm thick, was also encountered at the base of the colluvium layer in TP-3.

Note, the logs which are appended to this report indicate conditions on the date of exploration and may not represent conditions at other location and on other dates. Water levels and/or moisture content where shown are subject to variation. Stratification lines or depth intervals indicate approximate boundaries between material types and the transitions may be gradual unless otherwise indicated. Soil classifications shown are field classifications based on the Unified Soils Classification System (see the attached sheet - Soil Exploration Log Terminology).

4. Geotechnical Assessment

4.1. Stability of the Proposed Building Sites

Based on our review of aerial photographs and our field investigation, no evidence of deep seated instability within bedrock was observed within the proposed building areas or areas for development. The proposed building areas are adjacent to the current established residence, which appears to be in satisfactory condition.

The NCC slope hazard register records shallow slips approximately 80m downslope from the site. The most significant land damage observed, was a relatively minor surficial slip which occurred during the Nelson-Tasman December 2011 Storm Event. No land damage to the investigated property is reported to have occurred during the storm event.

An old slip surface was encountered beneath *Proposed Building Area 2*, with buried topsoil at 2.0m deep and sheared residual soils as deep as 3.5m. Based on our subsurface investigation, the slip surface appears to have only affected upper colluvium / residual soil layers. As such, the instability risk related to the weakened old slip material can be mitigated through geotechnical engineering solutions such as buttressing / retaining, with associated subsoil drainage, designed by a suitably qualified geotechnical engineer.

The slopes above the house are moderately steep and well vegetated. Though there is a risk of property damage from shallow landslide under extreme events, mitigation measures can be adopted

during development which will reduce the risk to an acceptable level. It needs to be appreciated that the risk from landslips exists on most hillsides in Nelson.

Land Instability Risk Assessment per Australian Geomechanics Society Guidelines

If the recommendations in this report are followed, we assess the risk of land instability affecting the proposed building areas or neighbouring properties, based on the chance of either or both extraordinary seismic and rainfall events, to be as follows, using the Australian Geomechanics Guidelines:

Likelihood: Possible to Unlikely (The event might occur under adverse to very adverse circumstances over the design life)

Consequences to Property: Minor to Insignificant (Limited or little damage to part of the structure and / or part of the site requiring some reinstatement stabilisation works)

Level of Risk to the Property: Low

4.2. Site Development and Earthworks

Currently there are limited concept plans for development. We understand that the *Proposed Building Area 2* is favoured, as access and services are more readily available from the ROW to the SE. Development of the building area though would be more costly as a lower retained house level would need to be incorporated into the dwelling design to ensure stability and counter potentially significant creep forces.

Proposed Building Area 1 would be considerably more cost effective to develop as the site is less steep and ground conditions are suitable to support a timber pole foundation. Building on top of the ground is always more cost-effective than building into the ground. Access to this site could either branch off of the driveway serving the existing dwelling, or connect to the ROW behind the existing dwelling.

The earthworks anticipated for development are expected to be limited and not appreciably affect the neighbouring lands. Significant cuts would need to be retained and fill placed would generally need to be certified. As a general guide, all certified fill is required to be placed in accordance with *NZS 4431: 1989 - Code of Practice for Earth Fill for Residential Development*.

The following are provided as general recommendations for building site earthworks:

- Subject to the extent of the earthworks, Resource Consent may be required to meet Rer.61 of the NRMP. This would need to be confirmed once the development concept is better developed.
- All earthworks and foundation excavations are required to be designed and the construction supervised by a Chartered Professional Engineering practising in geotechnical engineering.
- Any seepage encountered, including those discovered in cut excavations or during site development, will need to be conveyed away from dwellings and discharged into the on-site stormwater system, under the advice of a Chartered Professional Engineer practising in geotechnical engineering.
- Cut-off drains are required to be constructed above the building areas to intercept overland stormwater flows and enhance stability. Refer to Section 4.6 for more details on stormwater.

- Generally, earthworks and ground shaping are required to be constructed to prevent ponding and provide a positive gradient away from foundation elements, with collected stormwater directed in a controlled manner into the on-site stormwater system.
- Adequate dust, erosion and sediment control is required to be in place prior to earthworks construction, which meets the requirements outlined in the NCC *Land Development Manual 2010*.

4.3. Foundations

Within *Proposed Building Area 1*, generally competent colluvium can be found below 0.5 to 0.7m and competent PHG bedrock below 1.5 to 2.5m depth, varying with the extent of the weathered halo of residual soil above it. Subject to specific engineering design, ground conditions are expected to be suitable for conventional spread footings founded on a level or gentle sloping building platform, formed by minor cutting and retaining of the slope above, or suspended floors founded on timber pole foundations, or a combination of the two.

Within *Proposed Building Area 2*, provided the recommendations of this report are followed, ground conditions are expected to be suitable for a structure which will buttress the slope utilising a lower level retaining wall and an associated subsoil drainage system. Foundations and retaining walls will be subject to specific design and need to resist both soil creep and seismic forces. All foundations must penetrate topsoil and any soft spots encountered to found in competent underlying ground, anticipated to be between 1.5m to 3.5m depth from existing ground levels.

All foundations and retaining walls must be designed and foundation footing excavations inspected by a suitably qualified Chartered Professional Engineer practising in geotechnical engineering.

Retaining Walls

The following design parameters are suggested for the upper 3 m of ground and should be designed for seismic loads:

For Free Standing Cantilevered Walls

Analysis: Rankine or Coulomb OK

Material properties: Colluvium, residual soils and weathered bedrock

$S_u = 100 \text{ kPa}$

Or using a simplified model assuming granular material

$$\phi = 32^\circ \text{ (active pressure)}, \phi = 32^\circ \text{ (passive pressure)}, c = 0, \gamma_{\text{moist}} = 19 \text{ kN/m}^3$$

Material properties: Port Hill Gravel bedrock

Using a simplified model assuming granular material

$$\phi = 40^\circ \text{ (active pressure)}, \phi = 40^\circ \text{ (passive pressure)}, c = 0, \gamma_{\text{moist}} = 19 \text{ kN/m}^3$$

Retaining walls should be well drained to prevent the build-up of hydrostatic pressure from elevated groundwater.

4.4. Faults, Seismic Risk

The Nelson area has been affected by five damage-causing earthquakes since European settlement in the region, and is considered to have a high to very high seismic hazard risk.

The Grampian Fault is inferred to underlie the Tahunanui Slump, but is considered inactive (Johnston 1981). As previously mentioned the active Flaxmore Fault is estimated to be approximately 2.0 km SE of the property. An earthquake originating from the Flaxmore fault and the Waimea fault beyond it are estimated to have a return period of over 6000 years.

The more frequent earthquakes originating from the more distant Alpine, Wairau, Marlborough, Northern Buller and Wellington Fault systems are believed to present the majority of seismic hazard risk to the region.

Ground conditions founding *Proposed Building Area 2* are generally stiff below 0.7m of topsoil and colluvium and are generally favourable in regards to not amplifying seismic shaking. Therefore, as outlined in the *Australia / New Zealand 1170 Structural Design Actions* joint standard, we suggest using *Site Subsoil Class C: Shallow soil sites* for structural design.

4.5. Groundwater

Contingency for removal of groundwater from foundation and / or drainage excavations should be allowed for. No evidence of significant groundwater seepage was observed within the proposed building areas during investigations and generally we do not anticipate groundwater to be a significant issue for development. Note that conditions reported are representative of the conditions on the day of investigation and groundwater is subject to seasonal variation.

4.6. Stormwater

During our site walkover, we found no evidence of significant overland stormwater flow within the proposed building areas. As mentioned above, there appears to be no stormwater system in place for directing runoff into an approved reticulation system. This needs to be confirmed and remedied by a registered drain layer and must be constructed in compliance with the *Land Development Manual 2010*.

Generally stormwater from buildings, driveways, cut off drains and developed yards must be discharged away from the works into an appropriately designed reticulation with outflow directed in a controlled manner into an NCC approved stormwater system.

When designing stormwater systems allowance should also be made to pick up groundwater from subsoil drains associated with retaining walls or other earthworks construction.

5. Conclusions

In our opinion, based on our geotechnical and foundation investigation and assessment, and subject to the recommendations in this report,

- a. Two building areas suitable for residential development exist on the site proposed for subdivision,
- b. There is a low risk of ground instability that would affect the proposed building areas and / or that would appreciably impact neighbouring lands or developments.

6. Recommendations

The following recommendations should be adopted for the proposed subdivision and development of the proposed building areas:

1. *Proposed Building Areas 1 and 2* shown on the attached *Geotechnical Site Plan* are generally suitable for residential development subject to specific engineering design as described in Recommendation 2 below. Note that other NCC conditions may limit development within the designated areas such as daylight angles and yard setbacks.
2. All site development including earthworks, foundations and retaining walls shall be specifically designed and inspected by a Chartered Professional Engineer practising in geotechnical engineering and experienced in foundation design. See Section 4.3 for specific foundation recommendations.
3. A site specific topographic survey is recommended, prior to detailed building, earthworks and drainage design and should be considered for either building area.
4. Stormwater from roofs, hard standing or impermeable areas, discharges from retaining wall drainage, surface drains and subsoil drains, where practical, shall be conveyed in a controlled manner into an NCC approved stormwater reticulation system, unless otherwise advised by a Chartered Professional Engineer practising in geotechnical engineering. Such reticulations shall be installed by a registered drain layer. See Section 4.6 for specific stormwater recommendations.
5. Steeper slopes should be planted with appropriate vegetation to minimise the effects of rilling, topsoil loss and other minor surficial instability. See the attached reference "Planting for Stability". Covering steeper slopes, or slopes subject to elevated stormwater runoff, with impermeable weed cloth, is not recommended unless the effects of concentrated stormwater runoff are considered.

7. Limitation

This report is confidential and has been prepared solely for the benefit of Lloyd Phillips and Nelson City Council. No liability is accepted by Nelson Consulting Engineers Ltd or by any principal, director, employee or agent of this firm, in respect of its use by any other person. Any other person who relies upon any matter contained in this report without consultation and agreement with Nelson Consulting Engineers Ltd does so entirely at their own risk.

This report must be reviewed for its applicability in the event that any substantial modifications are made to the site or adjacent properties, such that site conditions are changed substantially from the conditions at the time of the investigations.

If conditions are observed that are not as indicated in this report, please contact this office immediately. Unusual conditions may include signs of seepage, subsidence, cracking or slumping.

8. References

JOHNSTON, M R 1981: *Dun Mountain*, Map Sheet O27AC. Institute of Geological & Nuclear Sciences Limited, Lower Hutt.

NEW ZEALAND GEOTECHNICAL SOCIETY, Geomechanics News, Issue 60, December 2000: Land Risk Management Concepts and Guidelines, by the Australian Geomechanics Society

NEW ZEALAND GEOTECHNICAL SOCIETY, 1985: Guidelines for the Field Description of Soils and Rocks in Engineering Use

AUSTRALIAN GEOMECHANICS SOCIETY, Australian Geomechanics Journal and News of the Australian Society Volume 42 No 1 March 2007: Practice Note Guidelines for Landslide Risk Management 2007.

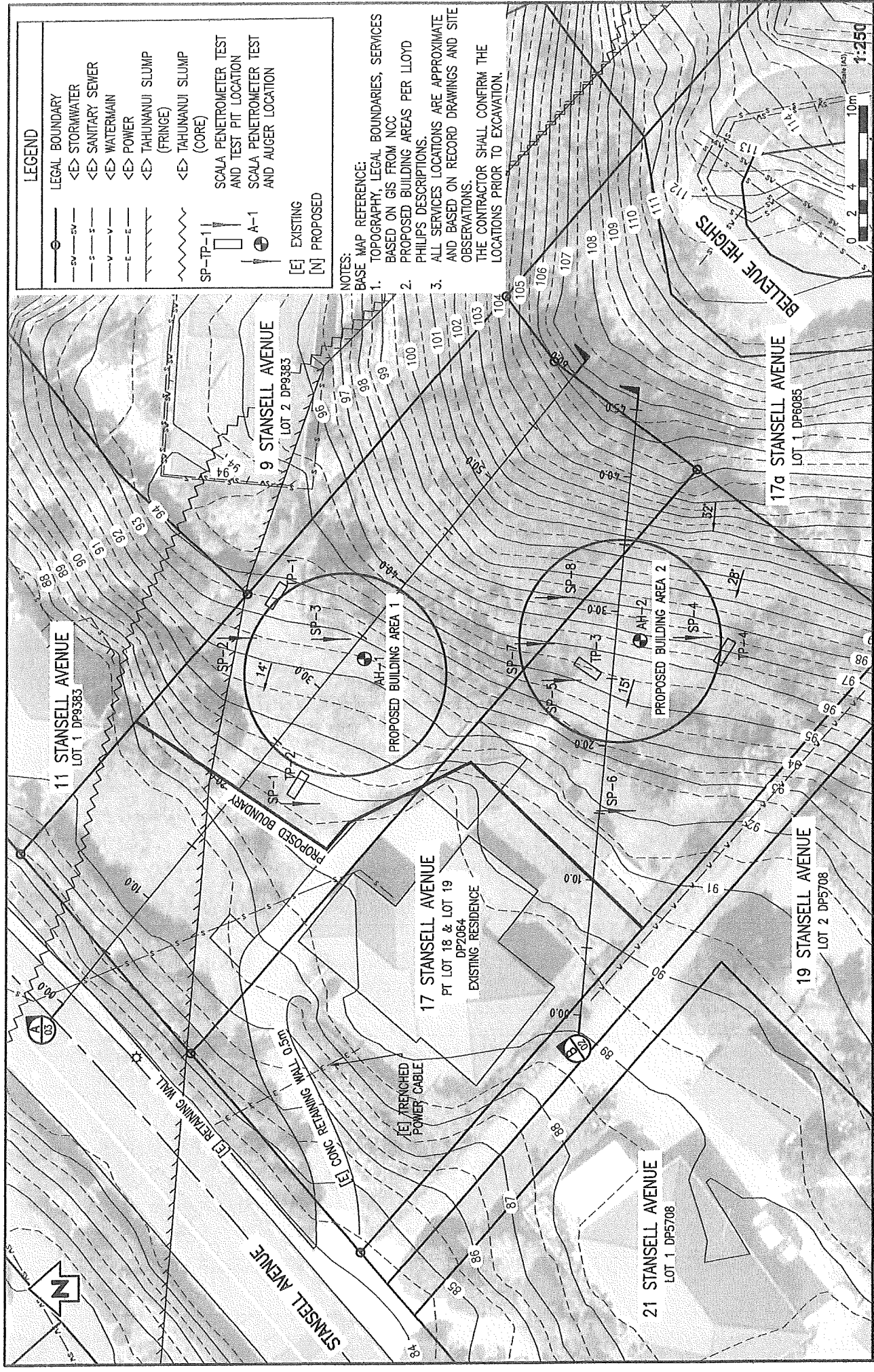
Yours faithfully

NELSON CONSULTING ENGINEERS LTD

John Higginbotham, CPEng, MIPENZ (Geotechnical, Structural)

Principal Civil Engineer

Attachments: Geotechnical Site Plan & Cross Section (3 sheets), Test Pit Logs (4 sheets), Auger Hole Logs (2 sheets), Scala Penetrometer Tests (8 sheets), Soil Exploration Log Terminology Sheet, Planting for Stability.



LEGEND

- LEGAL BOUNDARY
- <S> STORMWATER
- <S> SANITARY SEWER
- <W> WATERMAIN
- <P> POWER
- <S> TAHUANUI SLUMP (FRINGE)
- <S> TAHUANUI SLUMP (CORE)
- SCALA PENETROMETER TEST AND TEST PIT LOCATION
- SCALA PENETROMETER TEST AND AUGER LOCATION
- [E] EXISTING
- [N] PROPOSED

NOTES:

BASE MAP REFERENCE:

- TOPOGRAPHY, LEGAL BOUNDARIES, SERVICES BASED ON GIS FROM NCC
- PROPOSED BUILDING AREAS PER LLOYD PHILIPS DESCRIPTIONS.
- ALL SERVICES LOCATIONS ARE APPROXIMATE AND BASED ON RECORD DRAWINGS AND SITE OBSERVATIONS.

THE CONTRACTOR SHALL CONFIRM THE LOCATIONS PRIOR TO EXCAVATION.

LLOYD PHILLIPS
17 STANSELL AVENUE
GEOTECHNICAL & ENGINEERING SERVICES FOR NEW DWELLING
GEOTECHNICAL SITE PLAN

Nelson Consulting Engineers Ltd
CIVIL • GEOTECHNICAL • STRUCTURAL

140 Collingwood Street
Nelson
Phone 03 5394145
Fax 03 5394146
Email john@nce.co.nz

Project No	17584.01	Drawn No	17584
Client No		Stamp	
Rev/Comment		Date	
MP	JL	Int	
Version			

16 MAY 17

DRAFT

01 of 03



PO Box 645 Nelson 7040
Phone: 03 546 0200
Fax: 03 546 0239

30 January 2018

Lloyd Phillips
C/- Jones & Stander Ltd

Resource Consent Number: RM175391

Contact: Kim Bird

DD: (03) 546 0264

Email: kim.bird@ncc.govt.nz
www.nelson.govt.nz

Dear Mr Phillips

RM: 175391 DECISION ON NON-NOTIFIED RESOURCE CONSENT

Pursuant to Section 114 of the Resource Management Act 1991 (the Act), please find enclosed a copy of the Nelson City Council's (Council) decision on your application for resource consent.

Section 357A of the Act provides you with the right to lodge an objection with the Council in respect of this decision and/or any associated conditions. Any such objection must be made in writing setting out the reasons for the objection and must be lodged with the Council, together with a fixed fee of \$255.00 (GST inclusive), within 15 working days of receiving this letter.

In addition Section 120 of the Act provides you with the right to lodge an appeal with the Environment Court in respect of this decision and/or any associated conditions. Section 121 of the Act requires that any such appeal must be made in the prescribed form, must state the reasons for the appeal, the relief sought, state any matters required by regulations and must be lodged with both the Environment Court and the Council within 15 working days of receiving this letter.

You may commence your activity immediately unless you lodge an objection or appeal to this decision. However, it is important that you check the conditions of your consent carefully as some of them may require you to carry out specific actions before you may commence your activity. In some cases you may also require other permits or building consents for your activity and these must be obtained before you can commence your activity.

Please note that under Section 125 of the Act, your consent will lapse in five years unless you have given effect to it before then. In the case of subdivisions, the consent is given effect to when you have submitted a survey plan to the Council for the subdivision under Section 223 of the Act. Once the survey plan has been approved by the Council under Section 223 of the Act, the consent lapses three years thereafter unless it has been deposited with the District Land Registrar as outlined in Section 224 of the Act.

Please feel free to contact me if you have any questions regarding any aspect of your consent or its conditions. My contact details are listed at the top of this letter.

Yours faithfully

Kim Bird
Planner



RESOURCE CONSENT DECISION

Resource Consent number: RM175391

Pursuant to Section 104 B of the Resource Management Act 1991 (the Act), the Nelson City Council (Council) hereby **grants** resource consent to:

Lloyd Phillips

The activity to which this decision relates:

Subdivision consent for a boundary adjustment of Pt Lot 18 DP 2064 and Lot 19 DP 2064

Location details:

Address of property:	17 Stansell Avenue, Nelson
Legal description:	Pt Lot 18 DP 2064 and Lot 19 DP 2064
Certificates of title:	NL87/69 and NL107/112

CONDITIONS

Pursuant to Sections 108 and 220 of the Act, this consent is issued subject to the following conditions:

General

1. The subdivision shall be carried out in general accordance with the application lodged with the Council on 20 November 2017, the attached and labelled RM175391 Approved Plans A and B and the following conditions of consent.

Where there is any apparent conflict between the application and consent conditions, the consent conditions shall prevail.

Prior to approval of the Survey Plan pursuant to Section 223 of the Act

Easements

2. All necessary easements as required for right of way, right to drain water and sewage and right to convey water, telecommunications, computer media and electricity shall be shown under a Memorandum of Easements on the Survey Plan submitted for the purposes of section 223 of the Act. All documentation for the registration of the easements shall be prepared at the Consent Holder's expense.

Prior to the issuing of a Section 224(c) Certificate for the subdivision

Water

3. A separate water supply connection which is supplied by Council's reticulated water supply system in Stansell Avenue shall be provided to the boundary of Lot 2 and a Council approved water meter shall be installed in accordance with the requirements of the Land Development Manual 2010.

Note: Lot 1 has an existing water connection.

4. The location and details of the meter shall be recorded on Council's Water Meter Location Form which shall be submitted to Council for approval prior to the issue of a Section 224(c) Certificate.

Engineering Design and Construction

5. The works in Condition 3 shall be completed by the Consent Holder in accordance with the application and the approved RM175391 Plan A and to the satisfaction of the Council's Group Manager Infrastructure prior to the issue of a Section 224(c) Certificate.

As-built Plans

6. The works in Condition 3 shall be shown on "As-built" engineering drawings to the requirements of the Nelson City Council Land Development Manual 2010, and to the satisfaction of the Council's Group Manager Infrastructure.

Engineering Certification

7. Prior to the issue of a Section 224(c) Certificate a suitably qualified chartered professional engineer, registered professional surveyor or suitably experienced contractor shall provide the Council's Manager Consents and Compliance with written certification that the works authorised by this consent have been completed in accordance with the requirements of the conditions of this consent and the Nelson City Council Land Development Manual 2010.
8. This written certification shall be on the prescribed form "Certificate Upon Completion of Subdivisional Work" contained in Appendix D of Section 2 of the Nelson City Council Land Development Manual 2010, or on the prescribed form "Producer Statement – PS4 – Construction Review"

Building Site/Geotechnical Certification

9. Certification that proposed Lot 2 contains an accessible site suitable for the erection of a residential building shall be submitted to Council by a chartered professional engineer practising in geotechnical engineering or from an experienced engineering geologist.
 - a) The certification shall define the area within proposed Lot 2 that is suitable for building on, and shall list development conditions pertaining to the site and the lot generally and include an accompanying subdivision geotechnical report. The geotechnical statements and reporting are to comply with the requirements of NZS4404:2010.

Note: The building site shall be defined with respect to boundary pegs and/or survey co-ordinates, the latter to be provided by a registered surveyor.

- b) Should any mitigation measures be required as part of the building site certification then these shall be designed and constructed under the supervision of the certifier of the building site. Any mitigation measures requiring ongoing monitoring and/or maintenance shall be subject to a **consent notice** on the title of proposed Lot 2.
- c) A Section 224(c) Certificate will not be granted if a suitable building site is not defined.
- d) Any lots upon which a certified building site has not been identified shall be amalgamated with an adjacent lot containing a certified building site.

Consent Notices/Ongoing Conditions

- 10. The following conditions shall be complied with in perpetuity and shall be registered on the Certificate of Title for Lot 2 by way of Consent Notice pursuant to Section 221 of the Act. The Consent Notice(s) documentation shall be prepared by the Consent Holder's Solicitor and all costs associated with the approval and registration of the Consent Notice(s) shall be met by the Consent Holder:

Stormwater Disposal

- a) At the time of or prior to constructing a residential unit a stormwater management system shall be installed to mitigate the effects of increased peak and total flows from building roofs and hardstand areas. The stormwater management system shall be designed and its installation certified by a suitably experienced Chartered Professional Engineer and in accordance with the Nelson City Council Land Development Manual 2010. Full details of the stormwater management system including a PS1, inspection schedule and operation and maintenance requirements shall be provided at the time of application for building consent for the certification of the Nelson City Council Group Manager Infrastructure. The land owner shall be responsible for the ongoing operation and maintenance requirements of any stormwater management devices / systems in accordance with the advice of the designing Chartered Professional Engineer and to ensure it is kept in good working order at all times.

At the time of constructing a residential unit a stormwater drain lateral, which drains directly to the Council's reticulated stormwater system shall be provided to the boundary of Lot 2 and stormwater from the on-site stormwater management system shall be discharged directly to the Council's reticulated stormwater system.

Wastewater

- b) At the time of or prior to constructing a residential unit a wastewater drain lateral, which drains directly to the Council's reticulated wastewater system shall be provided to the boundary of Lot 2.

Cabling

- c) At the time of or prior to constructing a residential unit, telephone and electric power connections shall be provided to the boundary of Lot 2. All cabling shall be underground. Cabling shall be installed according to Sections 10 and 11 of the

Council's Land Development Manual 2010 and confirmation of the works from the supply authority and a copy of the service provider's Certificate of Compliance shall be provided to the Council. Certification shall be in accordance with Sections 10.2.10(d) and 11.4(b) of the Council's Land Development Manual.

Geotechnical

- d) Buildings on Lot 2 shall be located within the designated building areas as shown on Nelson Consulting Engineers Ltd's Geotechnical Site Plan dated 16 May 2017.
- e) Any earthworks proposed as part of lot and/or building site development shall be investigated, designed and inspected during construction by either a chartered professional engineer practising in geotechnical engineering or an experienced engineering geologist and recognised as such by Nelson City Council. All fills are to be certified in accordance with NZS4431:1989 Earthfill for Residential Development.
- f) All retaining walls required as part of lot and/or building site development shall be specifically investigated by either a chartered professional engineer or an experienced engineering geologist and recognised as such by Nelson City Council. All retaining walls shall be designed by or under the supervision of a chartered professional engineer practising in geotechnical engineering.

ADVICE NOTES

Development Contributions

1. The Consent Holder shall pay a Development Contribution for Lot 2 for transport, water, wastewater and stormwater in accordance with the Council's Policy on Development Contributions and Financial Contributions 2015:
 - Transport for Lot 2 = \$998.00 + GST
 - Wastewater for Lot 2 = \$4,319.00 + GST
 - Water for Lot 2 = \$2,984.00 + GST
 - Stormwater for Lot 2 = \$1221.00 + GST (a reduced contribution due to on-site stormwater detention)
- (a) Should a Building Consent be issued for any building(s)/dwelling(s) before a Section 224(c) Certificate is issued, any Development Contributions paid under the Building Consent will be deducted from the amounts noted above.

Accidental Discovery Protocol

2. It is possible that the demolition of this building / activity could trigger the need for an archaeological authority (permit) under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA 2014)

Section 42 of the HNZPTA 2014 requires an authority be sought where the modification or destruction of an archaeological site is proposed (this includes a place that is reasonably suspected to be an archaeological site).

An archaeological site is essentially defined as any place in New Zealand (including any building/structure, or part of a building/structure) that was associated with pre-1900 human activity and may provide historical evidence through archaeological investigation

It is important to determine whether or not the proposed work requires an authority prior to physical works commencing; if in doubt the applicant is advised to contact Heritage New Zealand Pouhere Taonga (Central Regional Office, Wellington). The HNZPTA 2014 contains penalties for unauthorised site damage.

Earthworks

3. The Consent Holder is advised to check with the Council once the design requirements of the residential building are known and prior to any earthworks being undertaken to determine if resource consent is required.

Stormwater Discharge

Lot 1

4. Should it be identified that Lot 1 has an inadequate stormwater discharge system this is recommended to be upgraded.

General

5. This resource consent authorises only the activity described above. Any matters or activities not consented to by this consent or covered by the conditions above must either:
 - (a) comply with all the criteria of a relevant Permitted Activity in the Nelson Resource Management Plan (NRMP); or
 - (b) be allowed by the Resource Management Act 1991; or
 - (c) be authorised by a separate resource consent.
6. This consent is granted to the Consent Holder, but Section 134 of the Act states that such consent "attaches to the land" and accordingly may be enjoyed by any subsequent owners and occupiers of the land. Therefore, any reference to "Consent Holder" in any conditions shall mean the current owners and occupiers of the subject land. Any new owners or occupiers should therefore familiarise themselves with the conditions of this consent, as there may be conditions that are required to be complied with on an ongoing basis.
7. The Consent Holder should note that this resource consent does not override any registered interest on the property title.

SITE DESCRIPTION

The sites subject to this application are two adjoining titles being Pt Lot 18 DP 2064 (1143m² net area) and Lot 19 DP 2064 (1067m² net area) located at 17 Stansell Avenue. The sites are within the residential (lower density) zone and are partially subject to the Tahunanui Slump Core Slope Risk Overlay and the Tahunanui Slump Fringe Slope Risk Overlay. Pt Lot 18 contains a residential building and an accessory building that adjoins the existing boundary between the allotments.

Both existing titles have road frontage of approximately 19m width and extend uphill from the road boundary toward the existing southeast boundaries. The existing residential dwelling and adjacent right of way created under RM105173 and shared with 17A Stansell Avenue are accessed from the mutual crossing on Stansell Avenue.

DESCRIPTION OF PROPOSAL

The applicant proposes to move the boundary between the two allotments to create two appropriately shaped titles that are suitable for both the existing development and the future development of Lot 2. Proposed Lot 1 will contain the existing dwelling and will maintain road frontage, the existing garage structure is to be removed. Proposed Lot 2 will be sited behind Lot 1 and accessed via right of way shared with 17A Stansell Avenue. Proposed Lot 1 has existing services except stormwater and Proposed Lot 2 is able to be serviced with water and wastewater connected to Councils reticulated supply. Onsite stormwater detention will be installed to mitigate effects of increased stormwater discharges from any development on Lot 2.

- Proposed Lot 1 will comprise 928m²
- Proposed Lot 2 will comprise 1286m²

Resource consent is required for a discretionary activity under REr.112.3 c) as the subdivision is located within the Tahunanui Slump Core and Fringe Slope Risk Overlays. In accordance with the rule the proposal is accompanied by a geotechnical assessment from a suitably qualified engineer addressing section 106 of the Resource Management Act 1991 (the Act).

PLAN RULES AFFECTED

According to the Nelson Resource Management Plan, the following apply to the subject property:

Zoning: Residential (lower density) Zone

Overlays: Tahunanui Slump Core Slope Risk and Tahunanui Slump Fringe Slope Risk

Rules: REr.110 Tahunanui Slump Core Slope Risk and Tahunanui Slump Fringe Slope Risk – Subdivision

Overall Status: Discretionary

REASONS FOR THE DECISION

The Council considers that the adverse effects of the activity on the environment will be no more than minor and there are no persons adversely affected by this proposal for the following reasons:

1. The proposal is in keeping with the character and pattern of development expected within the zone. The proposal makes efficient use of existing land parcels and building stock.
2. Lot 1 will maintain the existing vehicle access from Stansell Avenue and Lot 2 will be accessed via private right of way shared with 17A Stansell Avenue. Both allotments will have or will be able to have reticulated services that meet the minimum requirements of the Land Development Manual 2010 for water and wastewater.

Stormwater discharge from the buildings within Lot 1 currently do not connect to Council services.

3. The applicant proposes to install stormwater and wastewater services for Lot 2 at the building consent stage. This has been reviewed by Councils Senior Engineer Development who is satisfied with this proposal subject to conditions of consent including a consent notice for stormwater discharge of the new dwelling to be designed by a suitably qualified and experienced engineer. A condition to this effect is attached to the decision. Potable water for Lot 2 will be connected prior to section 224 certification.
4. The application is accompanied by a geotechnical assessment and report by a suitably qualified engineer (Nelson Consulting Engineers Ltd). The report considers the risk of land instability affecting the proposed building areas or neighbouring properties based on the chance of either or both extraordinary seismic and rainfall events and recommends building areas within proposed Lot 2 suitable for residential development.
5. The geotechnical assessment has been reviewed by Councils Geotechnical advisor, who has accepted that sufficient information has been provided to enable Council to grant a resource consent subject to conditions. It is therefore considered that the proposed boundary adjustment will not worsen conditions on the Tahunanui Slump, nor worsen the risk posed by this natural hazard, to life, property or the environment.
6. No earthworks are proposed as part of this application and conditions of consent will require stormwater discharges from any site development and / or building development to be designed by a suitably qualified and experienced engineer. A consent notice to this effect shall be registered on the title.

RELEVANT STATUTORY PROVISIONS

Policy Statements and Plan Provisions

In considering this application, the Council has had regard to the matters outlined in section 104 of the Act. In particular, the Council has had regard to the relevant provisions of the following planning documents:

1. the Nelson Regional Policy Statement;
2. the Nelson Resource Management Plan.

The activity is considered to be consistent with the relevant objectives and policies contained in Chapters 5, 6 and 7 of the NRMP.

Section 106 Matters

The proposed subdivision will not have an effect on the matters outlined in Section 106 of the Act subject to compliance with conditions of this consent.

Part II Matters

The Council has taken into account the relevant principles outlined in sections 6, 7 and 8 of the Act and it is considered that granting this resource consent achieves the purpose of the Act as presented in section 5.

Notification and Affected Parties

Under Section 95A (4) and (5) of the Act Public notification is precluded unless special circumstances apply. The Council has decided under Section 95A (9) of the Act, that special circumstances do not apply, and under Section 95B there are no persons adversely affected by the proposal. The application has therefore been processed without notification.

This resource consent is **granted** on 30 January 2018 under delegated authority from Nelson City Council by:

Jennifer Lancashire
Resource Consents Unit
Nelson City Council
(Authorised Officer Pursuant to
Delegation)

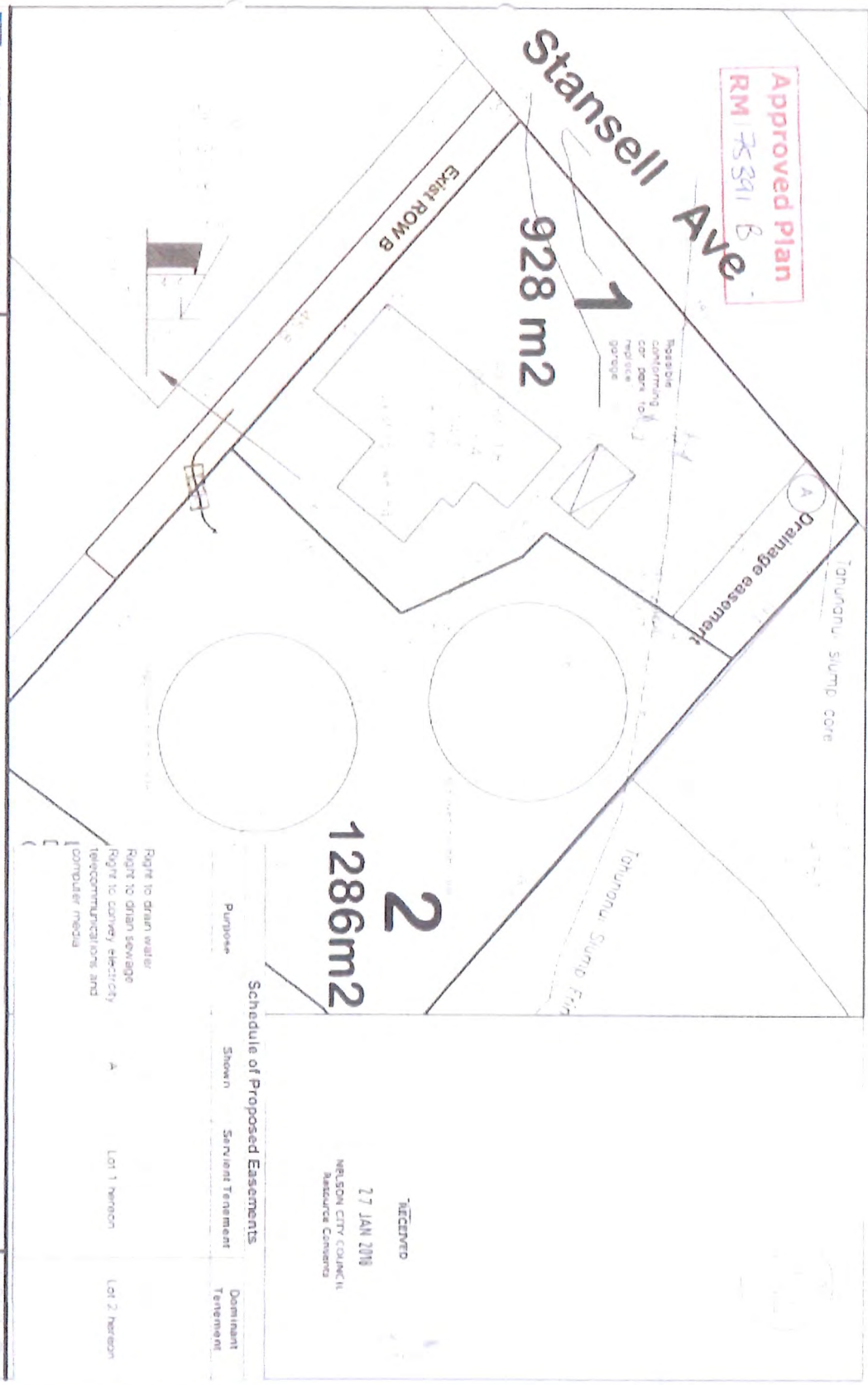


Jennifer Lancashire
Team Leader Resource Consents

JONES & ASSOCIATES LTD
 Registered Surveyors & Planners
 104 Collingwood Street
 PO Box 562
 NELSON
 email: info@jals.co.nz
 Ph: (03) 546-2833
 Fax: (03) 546-1091

3502 - PHILLIPS - BDY ADJUSTMENT PLAN 2017

Job No: 2017/3



RECEIVED
 27 JAN 2018
 NELSON CITY COUNCIL
 Resource Consents

Online submission

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

Submitter No.	S308
Submitter Name	Michael Potter
Submitter first name	Michael
Submitter middle name	David
Submitter surname	Potter
Submitter is contact	Yes
Email	mikeoranne@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	Medium Density Residential Zone	Support in part	Intensification is desperately needed to protect arable land in Tasman and the surrounds of Nelson. Nelson South provides good access to the hospital and medium density housing would allow our aging population to have better affordable housing closer to medical needs. Stoke village is already used by a growing number of people with physical disabilities and health conditions. As the population grows and ages there will be greater demand for better access and affordable housing within walking distance of the village.	We would like the plan to specifically require hydraulic neutrality for new development in medium density area: where the stormwater is aging. The consenting process should recognise initiatives such as storm vaults (onsite detention) in medium density development proposals.
			Development of Medium Density Zones for Stoke and South Nelson will take many years as infrastructure investment is required. We are genuinely concerned about the lack of certainty around the timing and provision of upgraded services for sewerage, stormwater and water with aging 300mm pipes for stormwater in the proposed areas. Given the stormwater constraints we do not think it unreasonable for hydraulic neutrality to be a requirement where infrastructure upgrades would otherwise preclude development.	

Residential Zones	Medium Density Residential Zone	Support in part	We (my wife and I) support the proposed Medium Density Zones and plan changes. We are however concerned that the requirements for 'micro-mobility' on sites that do not have vehicle access to a site, including step free options (D1/D2) as specified in NZS 4121 design for access and mobility) do not go far enough to meet the needs of an aging population including increased physical and sensory disabilities. Under the Building Act 2004, Medium Density currently does not require lift access for 3 level dwellings unless 50 people or more reside on the 3rd floor of multi-unit site. We would like to see Council put aside funding to incentivise developers who utilise Universal Design Standards to Level 4 or higher, as is already the case in Wellington. Universal Design Standards are legislated in Ireland, London (for social and public housing), Norway (for both public buildings and residential housing) and other jurisdictions. In Australia the Federal Building Code change in September 2022 is based on Universal Building Design Standards in recognition of a population that is aging and has more disabilities. Incentivising the use of Universal Design Standards gives developers a reason to build housing more suited to the needs of Nelson's future population and support Plan Change 29 to grow resilient communities. Universal Design Standards enable people to age in their homes, as a house can be readily adapted to meet the needs of a change in mobility or loss of health, for example wet area bathroom with a shower seat and rails in the case of a stroke or cancer. Housing modifications in a home without Universal Design Standards are typically over 15% of the original cost. Additionally they take longer, with occupants having to move out of the home for an extended period, all of which adds additional costs and stress on top of reduced wellbeing outcomes. We believe Plan Change 29 could go further, requiring all lower floor apartments and single storey housing to comply with universal design standards using design guides as a minimum starting point. The burden of not using Universal Design is particularly acute in Social Housing, Public Housing and rented accommodation where tenure is not guaranteed, choices are scarce and government/social housing providers face increased costs to do modifications. Incentivising Universal Design will have long term benefits for Nelson, with reduced burden on health services and increased well-being of residents contributing to a thriving and resilient community. 1. Lifemark https://www.lifemark.co.nz/official-star-rating/ https://www.lifemark.co.nz/case-studies/miles-construction-incorporating-cost-neutral-universal-design-new-builds/ 2. Census 2018 found a higher proportion of people in Nelson and Marlborough (7.3%) were disabled, while Tasman matched the national average (6.5%). According to Whaikaha of New Zealanders aged 65+ years, 59 percent are disabled. The three most common impairments New Zealanders experience relate to mobility (13 percent), hearing (9 percent) and agility (7 percent). pp44 of Whaikaha's Annual Report https://www.whaikaha.govt.nz/about-us/corporate-publications/annual-report-2022-2023/. 3. Australia's new building code September 2022 was ratified by Queensland https://www.epw.qld.gov.au/about/initiatives/modern-homes/modern-homes-standards 4. London Plan p 132. https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf 5, HUD Rapid Review- Housing https://www.hud.govt.nz/assets/Uploads/Documents/FINAL-Report_Rapid-Review-for-LTIB-1-3.pdf pp51-58- lack of universal design housing catering to needs of an aging and disabled population	We ask that developments meeting Lifemark Level 4 standards or higher be incentivised in Nelson on a similar basis to current incentives in Wellington. https://wellington.govt.nz/community/support-and-r... We can not see any evidence of engagement with disabled people groups in our reading of Plan Change 29 and ask that this be prioritised and a plan for accessibility similar to Tauranga be developed to support Plan Change 29.
-------------------	---------------------------------	-----------------	---	---

6. Resilience- MSD and HUD

<https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/statistics/covid-19/community-resilience.pdf>

pp 14. "Any community resilience initiatives need to engage with disabled people in the community and involve people with disabilities throughout the planning process" (Roth 2018)

HUD = resilience and climate change

<https://kaingaora.govt.nz/urban-development-and-public-housing/industry-hub/building-resilient-communities/>

7. Tauranga has a plan for accessibility for an aging population- Nelson just has guidelines?

<https://www.tauranga.govt.nz/Portals/0/data/council/strategies/files/accessible-tauranga-aip-working-draft-v3.pdf>

8. Marlborough Sustainable Housing Trust – has experience in housing for an aging population
<https://www.housingtrust.org.nz>

Kay Saville-Smith argues that Universal Design doesn't require more space.

https://www.housingtrust.org.nz/news-items/pdf/Build128_Pg50-51_SavilleSmith.pdf

9. Other papers on building community

https://www.csh.org/wp-content/uploads/2015/12/IL_Toolkit_Model_SingleSite.pdf (search 'common space', also engages with disability)

Happy City (2020). Designed to engage: Policy recommendations for promoting sociability in multi-family housing design. <https://admin.happycities.com/wp-content/uploads/2020/11/Designed-to-Engage-report.pdf>

Kuo, F. E., Sullivan, W. C., Coley, R. L., & Brunson, L. (1998). Fertile ground for community: Inner-city neighborhood common spaces. *American Journal of Community Psychology*, 26(6), 823-851. [https://](https://www.austintexas.gov/sites/default/files/files/Planning/City_Arborist/Fertile_Ground_for_Community.pdf)

www.austintexas.gov/sites/default/files/files/Planning/City_Arborist/Fertile_Ground_for_Community.pdf

Residential
Zones

Other

Oppose in part

Medium and high density housing should meet the test of building community resilience including participation for people with disabilities and/or long term health conditions. With an aging population designs for the built environment should enable all residents to visit each other and not be disabled by poor design. Building more accessible homes with a wide range of design features is crucial if housing choice is to become a reality for everyone, including disabled people, in Nelson.

Micromobility Access

AP11.7.5.i

Change "mobility users access needs to be provided"

to mobility users access needs "must" be provided.

Entire Plan Change General support Support in part Residential access points for disabled people should not be a health hazard or barrier for disabled people and /or people with long term health conditions. As a wheelchair user, lower to the ground, immunity compromised and with less choices for access, I should not have to travel through secondary smoke to enter a residence.

AP11.7.5

Micromobility [access](#)

The design of this [access](#) should:

Add

Be designated a non smoking area.

Online submission

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

Submitter No.	S308
Submitter Name	Michael Potter
Submitter first name	Michael
Submitter middle name	David
Submitter surname	Potter
Submitter is contact	Yes
Email	mikeoranne@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	Medium Density Residential Zone	Support in part	Intensification is desperately needed to protect arable land in Tasman and the surrounds of Nelson. Nelson South provides good access to the hospital and medium density housing would allow our aging population to have better affordable housing closer to medical needs. Stoke village is already used by a growing number of people with physical disabilities and health conditions. As the population grows and ages there will be greater demand for better access and affordable housing within walking distance of the village. Development of Medium Density Zones for Stoke and South Nelson will take many years as infrastructure investment is required. We are genuinely concerned about the lack of certainty around the timing and provision of upgraded services for sewerage, stormwater and water with aging 300mm pipes for stormwater in the proposed areas. Given the stormwater constraints we do not think it unreasonable for hydraulic neutrality to be a requirement where infrastructure upgrades would otherwise preclude development.	We would like the plan to specifically require hydraulic neutrality for new development in medium density areas where the stormwater is aging. The consenting process should recognise initiatives such as storm vaults (onsite detention) in medium density development proposals.

Residential Zones	Medium Density Residential Zone	Support in part	We (my wife and I) support the proposed Medium Density Zones and plan changes. We are however concerned that the requirements for 'micro-mobility' on sites that do not have vehicle access to a site, including step free options (D1/D2) as specified in NZS 4121 design for access and mobility) do not go far enough to meet the needs of an aging population including increased physical and sensory disabilities. Under the Building Act 2004, Medium Density currently does not require lift access for 3 level dwellings unless 50 people or more reside on the 3rd floor of multi-unit site. We would like to see Council put aside funding to incentivise developers who utilise Universal Design Standards to Level 4 or higher, as is already the case in Wellington. Universal Design Standards are legislated in Ireland, London (for social and public housing), Norway (for both public buildings and residential housing) and other jurisdictions. In Australia the Federal Building Code change in September 2022 is based on Universal Building Design Standards in recognition of a population that is aging and has more disabilities. Incentivising the use of Universal Design Standards gives developers a reason to build housing more suited to the needs of Nelson's future population and support Plan Change 29 to grow resilient communities. Universal Design Standards enable people to age in their homes, as a house can be readily adapted to meet the needs of a change in mobility or loss of health, for example wet area bathroom with a shower seat and rails in the case of a stroke or cancer. Housing modifications in a home without Universal Design Standards are typically over 15% of the original cost. Additionally they take longer, with occupants having to move out of the home for an extended period, all of which adds additional costs and stress on top of reduced wellbeing outcomes. We believe Plan Change 29 could go further, requiring all lower floor apartments and single storey housing to comply with universal design standards using design guides as a minimum starting point. The burden of not using Universal Design is particularly acute in Social Housing, Public Housing and rented accommodation where tenure is not guaranteed, choices are scarce and government/social housing providers face increased costs to do modifications. Incentivising Universal Design will have long term benefits for Nelson, with reduced burden on health services and increased well-being of residents contributing to a thriving and resilient community. 1. Lifemark https://www.lifemark.co.nz/official-star-rating/ https://www.lifemark.co.nz/case-studies/miles-construction-incorporating-cost-neutral-universal-design-new-builds/ 2. Census 2018 found a higher proportion of people in Nelson and Marlborough (7.3%) were disabled, while Tasman matched the national average (6.5%). According to Whaikaha of New Zealanders aged 65+ years, 59 percent are disabled. The three most common impairments New Zealanders experience relate to mobility (13 percent), hearing (9 percent) and agility (7 percent). pp44 of Whaikaha's Annual Report https://www.whaikaha.govt.nz/about-us/corporate-publications/annual-report-2022-2023/. 3. Australia's new building code September 2022 was ratified by Queensland https://www.epw.qld.gov.au/about/initiatives/modern-homes/modern-homes-standards 4. London Plan p 132. https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf 5. HUD Rapid Review- Housing https://www.hud.govt.nz/assets/Uploads/Documents/FINAL-Report_Rapid-Review-for-LTIB-1-3.pdf pp51-58- lack of universal design housing catering to needs of an aging and disabled population	We ask that developments meeting Lifemark Level 4 standards or higher be incentivised in Nelson on a similar basis to current incentives in Wellington. https://wellington.govt.nz/community-support-and-r... We can not see any evidence of engagement with disabled people groups in our reading of Plan Change 29 and ask that this be prioritised and a plan for accessibility similar to Tauranga be developed to support Plan Change 29.
-------------------	---------------------------------	-----------------	--	---

6. Resilience- MSD and HUD

<https://www.msd.govt.nz/documents/about-msd-and-our-work/publications-resources/statistics/covid-19/community-resilience.pdf>

pp 14. "Any community resilience initiatives need to engage with disabled people in the community and involve people with disabilities throughout the planning process" (Roth 2018)

HUD = resilience and climate change

<https://kaingaora.govt.nz/urban-development-and-public-housing/industry-hub/building-resilient-communities/>

7. Tauranga has a plan for accessibility for an aging population- Nelson just has guidelines?

<https://www.tauranga.govt.nz/Portals/0/data/council/strategies/files/accessible-tauranga-aip-working-draft-v3.pdf>

8. Marlborough Sustainable Housing Trust – has experience in housing for an aging population

<https://www.housingtrust.org.nz>

Kay Saville-Smith argues that Universal Design doesn't require more space.

https://www.housingtrust.org.nz/news-items/pdf/Build128_Pg50-51_SavilleSmith.pdf

9. Other papers on building community

https://www.csh.org/wp-content/uploads/2015/12/IL_Toolkit_Model_SingleSite.pdf (search 'common space', also engages with disability)

Happy City (2020). Designed to engage: Policy recommendations for promoting sociability in multi-family housing design. <https://admin.happycities.com/wp-content/uploads/2020/11/Designed-to-Engage-report.pdf>

Kuo, F. E., Sullivan, W. C., Coley, R. L., & Brunson, L. (1998). Fertile ground for community: Inner-city neighborhood common spaces. *American Journal of Community Psychology*, 26(6), 823-851. https://www.austintexas.gov/sites/default/files/files/Planning/City_Arborist/Fertile_Ground_for_Community.pdf

Residential Zones	Other	Oppose in part	Medium and high density housing should meet the test of building community resilience including participation for people with disabilities and/or long term health conditions. With an aging population designs for the built environment should enable all residents to visit each other and not be disabled by poor design. Building more accessible homes with a wide range of design features is crucial if housing choice is to become a reality for everyone, including disabled people, in Nelson.
-------------------	-------	----------------	---

Micromobility Access

AP11.7.5.i

Change "mobility users access needs to be provided"

to mobility users access needs "must" be provided.

Entire Plan Change	General support	Support in part	Residential access points for disabled people should not be a health hazard or barrier for disabled people and /or people with long term health conditions. As a wheelchair user, lower to the ground, immunity compromised and with less choices for access, I should not have to travel through secondary smoke to enter a residence.	AP11.7.5 Micromobility access The design of this access should: Add Be designated a non smoking area.
-----------------------	--------------------	-----------------	---	--

Online submission

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

Submitter No.	S309
Submitter Name	Andrew Divett
Submitter first name	Andrew
Submitter middle name	Graeme
Submitter surname	Divett
Submitter is contact	Yes
Email	andrewdivett@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Oppose in part	I support the plan change because I believe that Nelson must increase housing density instead of using up land at the edges of the city. I do not support the placement of six storey buildings in existing small residential plots of land. Good urban design is a process that must be used early in planning any changes and this is well described in The Ministry for the Environment Urban Protocol to which Nelson Council is a signatory. Design is not the addition of a tree and a seat to an existing plan. Council building regulations are familiar with the need for engineering input to ensure structures are safe and fit for purpose. Urban Design ensures that new developments will meet the needs of the people who will live there. Urban design recognises "the significant effect it has on people and how they live their lives" [1] . The council needs to find ways to ensure that professional urban design principles are used to ensure that Nelson is building places which people will want to live, places in which people will thrive, now and well into the future. Good Urban Design is a complex process and cannot be achieved by simply defining boundary setbacks and daylight angles. Nelson is, like most, cities, a complex organism and the principles require consideration across the whole of any design process. I have lived and worked in Stoke for 40 years. I have raised a family, and worked as a General Practitioner. I believe that good architecture and good urban design can encourage good health, and maximise quality of life. [1] from New Zealand Urban Design Protocol. Ministry for the Environment.	That the council find ways to ensure that Urban Design principles are used at the beginning of any new development.

Online submission

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

Submitter No.	S310
Submitter Name	James Purves
Submitter first name	James
Submitter surname	Purves
Submitter is contact	Yes
Email	jamespurves@mac.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support	Change is often unpopular and good leadership will not please everyone. I encourage the Mayor and councillors to be strong & bold and push change through.	Progress is made for Nelson

Inner City and City Fringe Zones	Inner City Zone	Support	This can be achieved by exploring all options including but not limited to:- 1. Waiving development charges for inner city & city fringe residential development 2. Quadruple commercial rates, then offer a 75% reduction for tenanted property. We need to make it uneconomic for people to landbank. At worst this will increase the rate take, at best it will force the rental market down (to qualify for rates rebate), or make people want to redevelop or sell to developers. 3. Lobby at a local & national level that (particularly where earthquake strengthening is required but not commercially feasible) that heritage protections will be waived IF old decrepit buildings are replaced within a fixed time frame with residential development. It seems crazy to protect heritage when we have too little housing which contributes to high house prices and homelessness. Let's get our priorities straight.	I think council should go further to encourage/incentivise development in the city
Residential Zones	High Density Residential Zone	Oppose in part	I think some of the residential areas selected that would be allowed six storey development are not yet appropriate for it, allowing up to 3 storeys and increasing density would already go a long way to encouraging development in those zones.	Reclassify some zones that have been zoned high density residential

Online submission

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

Submitter No.	S311
Submitter Name	Derek Nees
Submitter first name	Derek
Submitter middle name	John
Submitter surname	Nees
Submitter is contact	Yes
Email	derek.nees@outlook.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	General Residential Zone	Amend	Point 1. This proposal is not about "daylight" - it is about "Sunlight". Plants don't grow and people become sickly if they do not get reasonable exposure to Sunlight. Under the current proposal it would be allowable for a structure next door to exclude us and our property from access to "Sunshine" hours. We have already had experience of our property being excessively shaded by a large tree - We see an extension to that shading with the planned allowable buildings Point 2 Due to the Govt stupid rule change allowing councils to give consent for building's without the need for off-street parking, we are and will continue to see a proliferation of parking of all manner of vehicles on streets which is impeding access for traffic including buses and presenting more opportunity for criminal activity	Remove the word "Daylight" and Insert "Sunlight" Return to requiring off-street parking for all vehicles that will be resident in all properties.

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

Full Name: Diane Rose

Email: dianerose9@gmail.com

Signature of Submitter:



Date: 31/10/2023

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

Submission Point 1: High Density Residential zones (HDZ)

Our key submission points are as follows:

1. We oppose the proposed HDZ in residential areas where there is no walkable access to amenities (supermarkets, schools and public transport) as well where there is a risk of increasing natural hazards (e.g. floods and land instability).
2. We support the proposed increase in residential density in the inner city with mixed residential and commercial zones as these areas provide residents with direct walkable access to shopping and public transport services.
3. If HDZ are approved for some areas, we particularly oppose the proposed HDZ in the Tahunanui Hills area. We ask the Council to remove Tahunanui Hills from the proposed HDZ and make it GRZ because of ongoing slope instability in this area, lack of infrastructure, lack of the essential amenities (no supermarkets or public transport) within walking distance, and the increased likelihood of slips directly caused by intensification development and frequent weather events.
4. We ask the Council to make sure all proposed HDZ have walkable access to a supermarket (not a local dairy). For example, Christchurch planners are only proposing HDZ within 800m of a supermarket.
5. We ask Council to ensure a minimum of two storey dwellings be built on all new green field developments. E.g. Golden Elms in Toi Toi, Ngawhatu Valley and Marsden Valley. Infrastructure is easier and cheaper to develop on flat land and would provide more housing without affecting neighbouring properties.
6. We support the establishment of multi storey or underground car parks to free up more land within the inner city for development..
7. We 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.

Reasons for our opposition to the proposed Tahunanui High Density Zone

1. Slope instability

We were informed by the NCC planner that there was no consideration of geotechnical issues when deciding on the proposed zoning of the area. Our biggest concern is that high density development

will increase the potential severity of future slips on the Tahunanui Hills. The proposed HDZ in the Tahunanui Hills is an area potentially affected by significant natural hazard of slope instability. Plan change 29 Housing and Hazards on the Nelson City Council website stated that intensification should not include areas potentially affected by significant natural hazards:

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

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

Furthermore, all of the properties covered by the proposed HDZ (including our house) have a condition (Condition 1) on their property title with the Council. Condition 1 is on the NCC NRMP register and states that the land may be of suspect stability and conditions must be in place including geotechnical reports for any developments. This has resulted in geotechnical reports being completed where property owners have undertaken development. Geotechnical reports have recognised the instability of the steep hill and required extensive foundations and work even for single story buildings. The proposed hazard overlays for slope stability do not include these Condition 1 properties but that does not mean there is no risk now especially with higher intensity of rainfall and intensification of the land. Beca produced a slope stability report in 2021 that stated regarding the Tahunanui Hills that (emphasis added):

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

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

Many properties in the proposed HDZ have already experienced slips, such as at Tossell Road where slips have blocked Tossell Road several times (see Figure 1 attached to this submission). Many owners have geotechnical reports that show areas unsuitable for building and where remedial action may be needed.

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

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

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

We developed our Tamaki Street section 27 years ago. We had a geotechnical report prepared due to the potential instability of the hill. Our report showed that only part of the section was deemed suitable for building. The unsuitable land is now in trees that support the hillside. We have observed in dry weather large cracks on the dirt and grass around our house and other houses on the hill (see Figures 2 and 3 attached to this submission). We have cracks in our concrete and in neighbours concrete due to movement on the hill.

During our 36 years of living in Tamaki Street, we have experienced a number of high rainfall events where access to our home has been cut off after slips have occurred on both sides of Tosswill Road and on Tamaki Street. On one occasion we stood up to our knees in muddy slip mud and debris helping a neighbour trying unsuccessfully to divert a slip going through their basement. We have often watched water pour down steep Tamaki Street after a storm. We have observed weeping coming through new seal in lower Tamaki Street from small springs after heavy rain. As stated in the Johnston report while some springs on the Tahunanui hills have been intercepted by the stormwater system, their distribution is widespread and not all have been controlled, this is certainly my experience. Seismic activity combined with a storm event in a high-density area could be a disaster as mentioned in several reports on the Tahunanui slump.

Zoning areas on the Tahunanui Hills HDZ with no resource consent mean that existing stormwater systems which are already compromised and frequently overflow contributing to slips on the Hills will not be required to be upgraded by the developer as part of a considered resource consent process. The impact from the additional development without the developers having to contribute to upgrading overall stormwater could be disastrous for existing residents.

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

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

1. The physical extent of the slope instability overlay may additionally be expanded to include areas of interest outside those included in this study, such as land earmarked for future development.
2. The overlay set out in the Beca report has been prepared from desk study only. refinement of the instability and run-out zones may be completed from field mapping. This step may be applicable for developed areas on land particularly prone to landslides and/or land earmarked for future development.
3. Report does not identify full extent of areas impacted by slope instability across hillslopes
4. Risk assessments require additional considerations, including likelihood of slope failure and the potential consequences to a particular element at risk. Neither of these are considered in our susceptibility overlay given its primary purpose is to inform the need for further geotechnical assessment.
5. Does not show deep seated failures (i.e. Tāhunanui Slump), nor areas of hill creep. The maximum downslope extent of solid debris difficult to determine.
6. Tāhunanui - An extensive scarp formed along the head scarp of the Tāhunanui slump core below Princes Drive. Deep seated movement impacting multiple residential properties was recorded in this area. Shallow slope failures were additionally observed along the abandoned sea cliff along Tāhunanui Drive and near Port Nelson

As set out in the report above the study to identify the hazard overlays was a desktop study only and there is likely other areas on the Tahunanui hill not yet part of the hazard overlay impacted by slope instability. As the report it a desktop study it also does not show the deep seated failures like the Tahunanui Slump.

2. Amenities

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

3. Traffic

The Tāhunanui Hills is serviced by narrow, winding streets which in our opinion are inappropriate to

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

HDZ does not require access to parking spaces. This may be sensible in inner city living however, HDZ will aspirate the already often hazardous and limited on street car parking on the Tāhunanui Hills if permitted.

4. Sunlight and Shading Effects

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

- All 5 edges of our property could have 6 story high apartments one metre from the boundary completely enclosed our property in a very high box of buildings. This could compromise our health.
- Hill properties like ours already have additional shading issues directly from the hill which is another reason for not having high density development on hills.
- The lack of sunlight could result in existing homes becoming dark and damp with associated mould and mildew.
- Our house could lose property value if it is surrounded on all sides by apartments. We still have a mortgage so there will be increased financial stress if this is to occur.
- Privacy and outlook is a critical part of enjoying a property.

5. Trees and Gardens in the Tāhunanui Hills HDZ

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

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

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

6. Recreation

Tamaki Street is one of the steepest streets in New Zealand and it has over 400 steps at the top to Princess Drive. Many walkers, runners, tourists and locals walk daily from the bottom of Tamaki Street up the hill for fitness, well-being and to enjoy the peaceful beautiful view down the hill to the sea. We estimate around 100 walkers a day walk up and down Tamaki Street. They enjoy the established

gardens and birdlife. 6 storey apartments would reduce the number of birds, the trees and the views and peacefulness will be severely compromised. This city walking trail could be lost because of shading from the 6 storey apartments, reduced access caused by parking and traffic from the buildings.

7. Intensification

It will be expensive for developers to fulfil the requirements to build 6 storey buildings on the hill. The resulting apartments therefore would be fewer in number and expensive to buy. The Tāhunanui HDZ could easily become developments of expensive holiday apartments that sit empty for long periods. This does not solve our intensification, growth and affordability dilemma, and yet it locks up our valuable housing resource.

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

Submission Point 2: The Plan Change 29 Process

In our opinion, the PC29 process needs to be paused and reevaluated before progressing to the hearing stage. This is for the following reasons:

- We have found the lack of early public engagement and consultation on Plan Change 29 extremely stressful. For example, we will be severely affected by our property in the Tāhunanui Hills being zoned high density with 6 story apartments potential on 5 sides of our property. We only found out about the plan change by chance through a family member. There was no letter or email from the Nelson City Council. When we questioned this we were told we should have read the Nelson Evening Mail and we should have been looking on the Nelson City Council website. We have still received nothing by email or letter from the Council about the proposed change plan to our property.
- We question why the hearing panel is not made up of independent hearing commissioners as it is a council led plan change.
- The forecasts used by NCC for population growth which have informed the intensification requirements are not Statistics NZ medium projections.

Given the above, we request the following:

1. We are asking Council to withdraw PC29 and have planning staff refine the plan design and follow the proper procedure of consultation and public engagement.
2. We ask the Council to appoint independent hearing commissioners for the plan change.
3. We ask the Council to use Statistics NZ medium projection forecasts and amend its intensification requirements accordingly.
4. We ask the Council to inform all rate payers individually with emails and letters about any changes to their property zoning and to give each ratepayer the opportunity to respond.

Thank you for the opportunity to submit on PC29.

Diane Rose



Figure 1: This property in Tosswill Road will be zoned high density suitable for 6 story apartments. The property has regular slips and has 2 hazard slip overlays



Figure 2: Trees plants on unstable land on Tamaki Street



Figure 3: Cracks in pathing at our Tamaki Street property

Online submission

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

Submitter No.	S313
Submitter Name	Sloane Bayley
Submitter first name	Sloane
Submitter middle name	Odette
Submitter surname	Bayley
Submitter is contact	Yes
Email	sloane.bayley@gmail.com
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose		Restrict any high densityliving (ie dwellings 3 stories or higher) to the Mixed Use and Centre City zones already set out in the draft Whakamahere Whakatu Nelson Plan and leave the areas currently marked "high density" under PC 29 as they currently are.

A. Inconsistencies, confusion, short time frame and lack of notice in the consultation process
Inconsistencies, confusion, short time frame and lack of notice in the consultation process
The changes proposed under PC29 are significant and will have a dramatic impact on Nelson residents and the nature of our neighbourhoods. I do not believe there has been enough publicity around these changes to ensure people are fully informed. The proposed changes may have a significant long term effect on my neighbourhood and potentially on me financially if the value of my property is affected. I receive detailed information to my letterbox about short term effects on my property, such as road closures for utilities repair. I have received nothing targeted to indicate there is potentially a big change to my property zoning. The documents available online are not easy to follow.

In addition there are inconsistencies between what has previously been proposed for the future growth and development of Nelson and what is being proposed in PC29. For example I now understand the draft Nelson Plan envisages only medium density zoning through the area now zoned "high density" in PC29, with a building height of up to 11m, whereas in the medium density zones in PC29 the proposed building height is now up to 12m. These inconsistencies create confusion and misunderstanding of what is now being proposed.

When there was general publicity about the draft Nelson Plan and the Future Development Strategy for Nelson, I did not understand that the intensification of "Nelson City Centre" would apply to me; I live in a low-rise, green residential neighbourhood and the maps did not show 6 stories in my neighbourhood. By using general terms like "city centre", and by mixing up the terms and the areas to which intensification applies, the Council has made it very difficult for anyone but professionals used to dealing with city planning/the Resource Management Act to follow what is going on. I only know because someone else

affected by plan changes told me.

B Impact on amenity values

I understand that Nelson's population is growing and we need to be able to increase the density of housing in our inner city. I would be supportive of 4-6 story high rise developments in the middle of town (perhaps to the edge of Nile Street, bordering the city), where we already have a multitude of high rise and commercial buildings. However I do not believe we should allow developers to build these 6 story high rise developments through our existing family neighbourhoods, especially without resource consent. Density of housing can be increased in these areas without the need for such tall high rise developments. There is an opportunity to enhance these neighbourhoods with, for example, 2 story apartments and subdivided sections for low level builds like Sussex Mews . This would enable progress in housing development without sacrificing the current appeal of the neighbourhoods and in a way that would be more considerate and reasonable to the existing residents. It would also be more consistent with the 3 story proposals in the Draft Nelson Plan.

The neighbourhood blocks from Nile Street up to Nelson College and between Rutherford Street and Collingwood Streets predominantly consist of older, well-established single-family homes and low rise structures. These residential zones have long fostered a close-knit community where neighbours know each other and families thrive. We have supported each other through COVID-19 Lockdowns and civil defence emergencies- we know our neighbours. Residents such as myself have chosen to live here for the smaller, regional town benefits and advantages that it provides, which include being able to raise children in family homes surrounded by greenery and open spaces, and not in high rise buildings amongst the usual urban busyness you would find in our bigger cities. Introducing high rises that would tower over these family homes would erase the unique atmosphere of this area and could negatively impact the quality of

life for existing residents. It would interrupt the aesthetic harmony of our neighbourhood and disrupt the skyline. I have been told the Plan change acknowledges the capacity it will enable far exceeds what is likely in the next 30 years. It acknowledges there are unlikely to be very many high density developments given the constraints. So to me this means that for the unlucky few, it could result in a very uneven looking neighbourhood, with apartments facing into neighbouring yards for some distance around, while the remainder are unaffected. It results in a lottery effect on amenity.

C. Congestion and parking issues

High rise developments tend to exacerbate traffic congestion and parking problems. I understand the current proposed plan does not include mandatory vehicle access to each site. While many residents in the proposed high density areas will (hopefully) be limiting the use of their cars (by cycling and walking or taking public transport) the nature of our city means for most people at least one car is still required (for example to do the supermarket shopping, to take children to sport, for work, or to access the many wonderful outdoor areas that surround Nelson). Our public transport system is not sufficient to cover everyone's transport needs. With limited (if any) parking spaces provided within these new developments this inevitably means that the surrounding streets will become congested, causing inconvenience for both existing residents and newcomers. The added traffic could also cause safety issues for pedestrians, cyclists and children.

D. The chilling effect - impact on property values and existing residents

The introduction of 6 story apartments through the neighbourhoods mentioned above could significantly impact property values in the vicinity. It seems that the analysis accepts there will be an effect on some residents in this way, but that it just unlucky for them and they should just accept that for a proposed "greater good". Most families in these neighbourhoods

choose to live here for the current character and appeal of the neighbourhood, and they make their property investments with these factors in mind. Rezoning these areas to 'high density' could lead to uncertainty and decreased property values as potential buyers are put off by the impacts of surrounding high rise buildings and the prospects of increasing high density living. Six story apartments looming over single story family homes would cast shadows over these properties, block natural light and be a significant invasion of privacy. These properties were never built contemplating a high rise building next door and there would be no measures that an existing homeowner could take to minimise these impacts to their property and lifestyle. Subjecting (an unlucky few) existing residents to these issues would be extremely unfair and unreasonable.

E. Strain on infrastructure

I realise that the Council might have done some analysis about infrastructure, but I am worried that rezoning the proposed high density areas would exert immense pressure on the existing infrastructure. Our roads, utilities and public services haven't been designed to cope with anything more than 1-2 story developments. Many of the utilities through this area are old and at times struggle to accommodate the current population density. Significant increases in residents in these areas would strain these resources and negatively impact on the residents' quality of life. The blocks of houses in and around the bottom of the Grampians in particular already face increased risk of flooding and water damage from heavy rain, with the current drainage system often struggling to cope.

F. Lack of green space

With filling in more of the local area around schools and city with high rise buildings, with the lack of sun and increased impermeable materials on the ground, flooding is likely to increase causing even further damage to our regions - worse than the flooding experienced in Aug 2022.

Heritage	Richmond Avenue		Richmond Avenue has many heritage buildings, but so do the streets adjacent to it, like Bronte Street, Shelbourne Street, Brougham Street and part of Trafalgar and Collingwood Street. It seems little consultation with the general area and heritage of the region has taken place. From the view of my window at 66 Shelbourne Street, which is on the corner of Bronte Street, I could have 6 story houses in the future on one side, heritage houses around me pulled down and a few houses left in Richmond Ave. Why was not a full plan to protect similar aged houses in the area sort, so they cannot be pulled down or blinded by large looming multistories places in the future. Shelbourne Street was a site of many historical buildings, including the gaol, churches, Sunday school building, cemetery yet it is not protected from future changes. Also the removal of South Street from the historic register where this has been known as a heritage site in the past is just removed. Why has this happened? There seems to be lack of communication to the public on the overall plan for the city and how it can balance history with modernising the city and bringing in new ideas.	Keep South Street as a Historic Precinct and Seymour Ave. Richmond Ave is a small street compared to the many other historic homes in the same area. Review and extend this heritage precinct to more homes around the Cathedral Square including Shelbourne Street, Bronte Street, Brougham Street and Trafalgar Street.
Residential Zones	Medium Density Residential Zone	Oppose	For the same reasons I stated in the High Density Residential section. There appears to be ample support and provision for medium high density houses already and therefore it does not need the Plan Change to allow for this type of development.	Restrict any medium density living (ie dwellings 3 stories or higher) to the Mixed Use and Centre City zones already set out in the draft Whakamahere Whakatū Nelson Plan and leave the areas currently marked "medium density" under PC 29 as they currently are.

Online submission

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

Submitter No.	S314
Submitter Name	Gardner/Mitchell Group
Submitter Company/Group Name	Gardner/Mitchell Group
Submitter is contact	Yes
Email	jackiegardner@xtra.co.nz
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zone	High Density Residential Zone	Oppose in part	1/ There appears to be no overall design plan for Nelson Inner City and neighbouring suburbs 2/ There are no quality controls on multiple storey buildings which are left up to the developer. 3/ The solution should be designer led not developer led and should include community needs such as schools, green spaces with trees, community gardens, landscaping and street character, medical centres and community meeting areas. 4/ There should be an independent regional urban development agency to provide guidance to the council and oversee a designer led development plan across Nelson. 5/ Nelson suburbs are low lying and unsuitable for 6 storey buildings to be positioned among low profile residential areas. This would destroy the very quality of life that all Nelson suburbs residents enjoy. Trees, sun, green spaces, view of hills and sea would be gone for ever and cannot be reversed once in place. 6/ There should be no resource consent or fee to change 1-2 storey properties to include up to 2 extra units on same piece of land if water and drainage infrastructure has the capacity to cope. This allows for more inhabitants being self contained on the same section with cheaper living costs and provision for cheaper rentals.	Height : HRZ: 6 storeys to be amended to Nelson Inner City 4 storeys and all 4 storey buildings to comply with a city overall design plan. New Residential Units per site: 4+ Restricted Discretionary to include a design standard, 2-3 storey units permitted for suburbs with HRZ. Yard Setbacks: 1.5m side and rear yard applies with no exceptions Permeable Landscape area: All new residential zones to have a minimum 20% of site to be a permeable landscape approved design

Online submission

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

Submitter No.	S315
Submitter Name	Fiona White
Submitter first name	Fiona
Submitter middle name	Jill
Submitter surname	White
Submitter is contact	Yes
Email	chrisfo@xtra.co.nz
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support	The reasons I support the plan change are:- - The need to provide more housing. Fertile farmland should be preserved as far as possible and urban sprawl avoided. - The inner city needs more people to revitalise the centre. - More people would be able to live near work and leisure and be able to walk and bike. - More diversity in the choice of housing. - Improvement in the quality of housing stock to modern standards. - There would be an increase in the number of people to pay rates thereby enabling council to provide amenities and infrastructure.	I am strongly in favour of the council supporting the Plan 29 change with a provision, if possible, for some overall design oversight to encourage and modify developer's plans with the aim to create more harmonious and attractive buildings with green spaces. An article in stuff on 23rd Oct. talked about an overall plan and a feasibility study on forming a Nelson Tasman Urban development agency. I think this may be the way to get the oversight I would like.

Online submission

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

Submitter No.	S316
Submitter Name	Kim Odendaal
Submitter first name	Kim
Submitter surname	Odendaal
Submitter is contact	Yes
Email	kimodendaal1@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Inner City and City Fringe Zones	City Fringe Zone	Oppose in part	Due to the natural hazards in the area and already established neighborhoods, I am against any building being more than 1 story high. Anything higher impacts entitlement to quiet enjoyment as homeowners privacy would be removed (people looking down into private properties), reduction of open sky view as well as a reduction in sunlight. Lack of good faith - my whole life savings is tied up in my property, and the Councils decision could severely reduce my investment, affecting my to retirement and enjoyment of life. Look to add height in neighborhoods not yet established, or city center where it is the norm.	Due to the natural hazards in the area and already established neighborhoods, I am against any building being more than 1 story high. Anything higher impacts entitlement to quiet enjoyment as homeowners privacy would be removed (people looking down into private properties), reduction of open sky view as well as a reduction in sunlight. Lack of good faith - my whole life savings is tied up in my property, and the Councils decision could severely reduce my investment, affecting my to retirement and enjoyment of life. Look to add height in neighborhoods not yet established, or city center where it is the norm.

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 19/10/23
Sub NO: 5317
NBDCS: 539570224-
16476

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Full Name: Rosa Coufts Address: Telephone: Email: rosafroufts@gmail.com
--	--

- ☐ I could 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 12 m, as it is not mandated under NPS-UD 2020
2. the loss of the existing protection for sunlight to all properties, because it is 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 that at least 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 REQUEST that Council appoints an independent Panel to hear the Submissions; and gives a further Notice extending the Closing Date for Submissions

I ACKNOWLEDGE that I have found it extremely difficult to digest the total effect of the proposed PC 29 and its supporting documentation of over 2,000 pages,

Other comments or concerns I have about Plan Change 29

Is there a cohesive Town plan strategy to make this work, quality of design and building, parking, infrastructure.
Is there a Town planning expansion design in mind to stop this being an ugly badly planned mess?

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

I'm sure there are many International successful ideas for increasing housing, and also many unsuccessful ideas. Some research on this would be really good.

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

Rosa Coufts.....

Submitter

31/8/23

Date

NB: TO BE DELIVERED TO NCC OR SENT TO environmental.planning@ncc.govt.nz by 4.00 pm

Tuesday 19th September

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 19/10/23
 Sub No: 5318
 NDCS: 539570224-16478

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Full Name: James Lawrence GREEKS Address: Telephone: Email: jim.greeks@gmail.com
--	---

- ☐ I could 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 12 m, as it is not mandated under NPS-UD 2020
2. the loss of the existing protection for sunlight to all properties, because it is 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 that at least 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 REQUEST that Council appoints an independent Panel to hear the Submissions; and gives a further Notice extending the Closing Date for Submissions

I ACKNOWLEDGE that I have found it extremely difficult to digest the total effect of the proposed PC 29 and its supporting documentation of over 2,000 pages,

Other comments or concerns I have about Plan Change 29

What an arrogant and ill-considered proposal by a Council that clearly lacks empathy or regard for the quality of life of those affected by the plan.
 Two thousand pages trying to rationalise the unjustifiable!
 For shame, NCC.

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

At least show some respect to Nelson's citizens.

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

.....
 Submitter

11.10.23

Date

NB: TO BE DELIVERED TO NCC OR SENT TO environmental.planning@ncc.govt.nz by 4.00 pm

Tuesday 19th September

Reverse: 19/10/23
Sub No: 5319
NDACC: 839570224-
164891

☒ **I could not** obtain an advantage in trade competition through this Submission.
☐ **I wish** to be heard in support of my Submission at the Council Hearing.

1. the creation of a High Density Residential Zone (HDZ), that has a max height greater than 12 m, as it is not mandated under NPS-UD 2020
2. the loss of the existing protection for sunlight to all properties, because it is 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

1. rear and Side Yard Setback of not less than 1.5 metres
2. an amendment to ensure that at least 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 **ACKNOWLEDGE** that I have found it extremely difficult to digest the total effect of the proposed PC 29 and its supporting documentation of over 2,000 pages,

I do not believe the housing shortage is as distract as we are led to believe necessitating six storey apartment buildings - certainly not a 'housing crisis'.

--

Submitter

15.10.23
Date

Tuesday 19th September

Submission - pc 29 Nelson City Council

Evan Thomas

sueandevanthomas@gmail.com

PC 29 - submission on heritage precinct guide

I submit that the Russell Street heritage precinct guide completed in August 2023 by Heritage Consultancy Services is not fit for purpose because it is incorrect, impractical and inaccurate.

I request that the Russell Street heritage precinct guide be rewritten by someone who is a qualified planner, designer and preferably with an architecture degree who has knowledge of Russell Street, its quirks, foibles and difficulties as well as its charm.

I wish to speak to my submission at a public hearing.

I will not gain any advantage in trade competition through my submission.

ET Thomas

PC plan change 29 - heritage precinct

Submission of Evan Thomas relating to Russell Street heritage precinct guidelines written by Heritage Consultancy Services and dated 11 August 2023. I am a licensed building practitioner and have restored one cottage in Russell Street and been a consultant on the restoration of another. I have also restored three other Victorian cottages, two nearby in Haven Road and one over the hill and down in the Washington Valley side of Russell Street.

I submit that the heritage precinct guidelines written by Heritage Consultancy Services are inaccurate and not fit for purpose.

I request that the guidelines be rewritten by a qualified planner or designer who has knowledge of the street and can do a more accurate set of guidelines. I understand that the person who completed the guidelines has no qualifications as an architect nor as a planner nor as a designer and query how she was contracted to undertake work she apparently is not qualified to do. It is essential that the guidelines are clear and robust and able to be easily adhered to by the succession of out of town planners who are employed by Nelson City Council who may be highly qualified but have little or no Nelson institutional knowledge.

The photo of several cottages in the Russell Street precinct introduction compiled by Heritage Consultancy Services and dated 2015 is ironic - it shows 5 cottages but the two in the foreground have been removed from the NCC heritage register by Heritage Consultancy Services based on incorrect and inaccurate research and omissions.

Due to the lack of research done by Heritage Consultancy Services the report is incorrect on two counts in stating that numbers 8 and 11 are the oldest extant houses both dating from the 1870s. Due to a complete lack of research on 11 Russell Street the report writer has failed to acknowledge that number 11 is in fact the oldest building in the street, it is a cottage built in 1853 by George Powney White, the clerk of the Provincial Council. Because the report writer could not see the cottage from the street she removed it from the heritage register stating it had little of no architectural significance - despite it being virtually untouched in its 170 year existence. She is also incorrect on the date of number 8 - had proper research been done and if the report writer had not morphed two people of a similar name into one person and come to a completely incorrect conclusion she may have discovered that

the original cottage at 8 Russell Street was in fact built in 1855 and not the 1870s.

The author also quotes the 1991 publication titled Historic Russell Street but fails to acknowledge that a great deal of that information written in that book is incorrect because it was done in a huge rush by some residents in order to obtain a monetary grant for publication from the 150th Nelson Anniversary trust but mainly to push the council into establishing a heritage precinct after council permitted a period cottage to be demolished and two hideous modern flats to be built. The authors of the book - both those who are now deceased and those who are still alive acknowledge that not sufficient research was done and in the days pre-internet, research was slow and difficult and they simply did not have the time, knowledge or skill to carry out accurate research or do any checking.

It appears that the report writer has failed to read any of her individual property reports because she contradicts herself a great deal. An example of that is in the heritage guidelines. It is stated that most of the buildings are single storey but in the individual property reports many are described as storey and a half when they are not.

It appears that the guideline writer has not visited Russell Street because it states 'off street parking cannot always be provided and parking requirements within this precinct may be flexible. When there is room to erect a garage on site it should be located at the rear of the property were possible.' No one who has actually visited Russell Street and viewed the topography would write such nonsense. Russell Street is at the bottom of a valley with steep hillsides on both sides of the street. The cottages with the exception of number 11 have all been built near the footpath because a building site has been levelled on each section at the bottom of the slope. It would be impossible to build a garage at the rear of any property - it would be a physical impossibility due to the fact that many of the cottages are so close together there would not be space to have a driveway as well as being a geological and financial impossibility. Very few cottages have any parking and there is a constant battle between the occupants of the upper stretch near the top of Russell Street when they park partly on the footpath to allow one lane of traffic and the NCC parking wardens who come and ticket their vehicles.

In RS 3.3 Materials and Detailing

It states 'the retention or restitution of decorative detailing is preferred to the replication of features'

This shows the guide writer has little or no experience in building with timber - all of the properties are over 100 years old and built with untreated wood.

Untreated wood has a very limited lifespan depending on what type of wood it is and how dry and well maintained it is. Replication of features is absolutely essential for the restoration of any of the Russell Street properties and it should be encouraged to mirror what was there originally.

Under the RS.4 Performance Guidelines section it is stated that the scheduled heritage buildings in Russell Street are the defining elements of the precinct. If only that was true but Heritage Consultancy Services have in one fell swoop randomly removed 12 of those properties including the oldest cottage from the heritage register. Heritage Consultancy Services have completely omitted to classify one property.

In the first part of the guidelines showing photos of three of the heritage cottages (two of which have been removed by Heritage Consultancy Services) it states:

'The Heritage Precinct recognises that the whole is greater than the sum of the parts, a collection of Heritage Buildings, in context, has a greater impact on the observer and the resident, and has greater heritage value than the same number of buildings scattered throughout the city. The loss or unsympathetic alteration to even a single building detracts from the whole Precinct rather like a tooth missing from a smile.'

But that is exactly what Heritage Consultancy Services has done - remove 12 of the formerly heritage rated properties from the bottom of the street to the top of the street like randomly removing teeth. The writer does not appear to have any concept of a precinct - it is the sum of the whole of all the properties - not a random selection she has chosen to retain. Once any property is removed it weakens the entire precinct concept, any competent planner would be able to tell you that.

In section RS 4.3 it mentions construction of second dwellings - this again shows the report writer is totally unfamiliar with Russell Street and its topography, geology and existing buildings. It would be ridiculous to try and build a second dwelling on any property - the council would probably not permit it on number 11 and number 6 due to previous slips and there is simply no room nor access on any other property.

RS 4.4 - Accessory Buildings

It is disappointing that this clause was not adhered to in 2012 when NCC planners allowed a black modern container like building to be built in the front of the oldest building in the street at number 11 Russell Street. It does make one wonder what the guidelines are for if they are not adhered to by planners when they allow buildings constructed in the front yard that are so ugly and definitely not at all complementary to the streetscape in form, detail and use of materials when viewed from the street.

RS 4.6 Commercial buildings

There are no commercial buildings in Russell Street except for the black box mentioned above being operated as a hairdressing business in the front yard of number 11 and ignored by the guideline writer. The design guide writer appears not to have noticed that which makes one believe she may never have visited the street.

However there is a 1927 house at 213 Haven Road that has been converted to a shop in the front two rooms. One side fronts onto Russell Street. In the guidelines it states that the building contributes to the character and any commercial signage is sympathetic to the visual character of the precinct. What rot - huge bright red modern Coca Cola signs are sympathetic to the visual character of the Victorian precinct!! No, the modern signs stick out like sore thumbs and are definitely in no way sympathetic to the visual character of the precinct.

Omissions from the guidelines

1) There is no mention of colour in the guidelines which is a glaring omission. One former owner painted her house karitane gold with pink and purple trims and whilst that may well have been her personal colour preferences it has done nothing to enhance the Victorian streetscape, in fact it looks dreadful.

2) There is no mention of the Port Nelson noise overlay and it appears that the heritage guide writer is completely oblivious to that requirement. The Port Nelson noise overlay requires any property owner within a defined area of being able to hear port noise to insulate their houses against noise when carrying out any alteration with Port Nelson contributing to the cost. Initially Port Nelson required acoustic glass to be put in port facing windows but when that was shown to be unpopular and fairly ineffective lobbying by property

owners changed that strict requirement and now double glazing on wooden framed windows is an acceptable solution.

3) There is no mention of solar heating panels on roofs - another glaring omission.

The Russell Street heritage precinct needs to be rewritten by someone who knows Russell Street or at the very least has walked up and down it and looked at all the properties and someone who has some understanding of Victorian cottage architecture. Someone who realises it would be impossible both physically and financially to build any garages at the rear of any properties and someone who dealt with the restraints of the Port Nelson noise overlay and dealt with issues like colour and didn't write nonsense stating huge bright red coca cola signs contribute to the character of the street.

The guidelines need to be robust so out of town planners do not make the mistake the NCC planner who permitted the black container like box be erected in the front yard of the oldest building in the street. A more suitable building could easily have been constructed there - there was originally a Victorian horse stable in the same place and a reproduction of that building or something similar would have been far more suitable and acceptable.

The street was a heritage precinct with all properties heritage listed before the Hamilton based contractor deleted nearly half of the properties from the NCC heritage register. Now without all those properties listed there is no protection for any of the older properties to be retained. Heritage tourism is a real unrecognised money earner for Nelson, visitors come to Nelson to look at the old cottages not to see modern black boxes that they can view anywhere else in NZ. Heritage tourists like to walk up streets like Russell Street, Alton Street and South Street and they are big spenders in the local economy. One couple from Auckland stayed at a Victorian rental property we own and left behind a record of what they had spent and where. It was astounding - it was over \$6000 for two people for 3 days and did not include accommodation. All of it with the exception of transport for antique furniture they purchased was spent at or in Nelson businesses.

The guidelines need to be drafted by someone with some expertise and qualifications and then put out for consideration by local residents and owners and asked for suggestions/improvements. That way would result in a more robust practical set of guidelines and not the nonsense that has been written which does nothing for Nelson's heritage.

Online submission

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

Submitter No.	S321
Submitter Name	Alan West
Submitter first name	Alan
Submitter middle name	Laurence
Submitter surname	West
Submitter is contact	Yes
Email	yvsmate@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Natural Hazards/Climate Change	Slope Instability	Oppose in part		Changes to the slope stability overlay to more accurately reflect the hazards that exist for individual properties rather than grouping all properties in an area in the same risk category. The overlay should take into account the substantial amount of geotechnical and engineering documentation that the council has on file as well as site visits to ensure that the stability factors better represent the individual properties involved.

I am making this submission on behalf of myself and my wife, Yvonne West. We are both directly affected by the current slope stability proposals in our area.

We live in a new subdivision in Andy Whiting Place, Stoke. When the subdivision was approved and our building consent was issued, considerable earthworks were carried out and engineering requirements met to ensure that the land and buildings were stable and met the requirements of the Building Act. The council has on file documentation to this effect.

It appears that a "broad brush" approach has been applied to the slope instability overlay that has taken no account of the stability of specific sites, where these are areas that have been certified as geotechnically stable and suitable for development. It appears that no effort was made to access and take into account the substantial amount of geotechnical and engineering documentation that the council has on file. There needs to be a much more detailed appraisal of properties involving both on site visits and use of council records.

In recent years, there have been significant events which have caused considerable damage in the wider area, but the development in which we live, has experienced no damage at all. Conversations with those who have lived in the area much longer than us confirm this for other major weather events over a much longer time frame.

To us, the overlays appear to be quite inaccurate. Areas close to us, designated level 3 the lowest risk, experienced considerable damage from slips during this year's storm event. I refer specifically to Sunningdale Drive and nearby areas, where the topography clearly made them more susceptible to slipping than the properties in our vicinity. We are not sure of the methodology used to determine slope instability, but it appears to have taken inconsistent approach to identifying hazards, has taken no account of the work that has been done to mitigate hazards or to use the considerable documentation available from the council in the assessment.

Consequently, properties such as ours, where there is insignificant slope stability risk, are being unfairly treated with possible future hikes to insurance premiums and excesses, property devaluations and limitations to any future development on the site.

Online submission

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

Submitter No.	S322
Submitter Name	Cathy Nicholson
Submitter first name	Cathy
Submitter middle name	Lee
Submitter surname	Nicholson
Submitter is contact	Yes
Email	pcn0522@gmail.com
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	Medium Density Residential Zone	Amend	Any buildings taller than 8m would detrimentally impact the character of neighbourhoods as well as severely reducing the sunlight available to residences in the zone.	Limit residential buildings to no more than three (3) two-story units with a total height of 8m.
Residential Zones	High Density Residential Zone	Amend	Research shows as residential buildings increase in height, there is considerable increase in depression, isolation, crime and anti social behaviour. Also negative effects on sleep and loss of community.	Limit apartment building to no more than four(4) stories and 5m in height.

Entire Plan Change	General opposition	Oppose in part	In comparing other cities in New Zealand, that have populations between 43,000 and 70,000 Nelson is below the median in population density and the number of people on the Housing records. With such a radical suggested change in the need for additional housing perhaps the need has been overstated.	Carry out a review of the process by which the 25 year population projections have been developed and publish findings.
Entire Plan Change	General opposition	Oppose	Suggesting a broad brush approach to planning for needed intensification of housing without having clear guidelines for design is not good practice. In the absence of this our community, our current home owners, could be left with structures which are not good quality.	The plan does not include a Design Standards Commission.
Entire Plan Change	General opposition	Amend	Currently we have issues with affordable rent for many people in our community. Many of the residential Units that will be developed under PC 29 will not be affordable.	Include encouragement and the ability for existing homeowners to add units to their property which are low profile, and affordably priced. These could include units that are removable if circumstances change.

Residential Zones	Other	Oppose	Currently PC 29 has lumped current residences into three buckets - General, Medium and High Density - and has not considered the needs for those neighbourhoods. Nelson is known for its many unique neighbourhoods, each with its own character, and yet those neighbourhoods have been assigned one of the three designations. This is another example of the Broad Brush approach of this proposed plan that will destroy the uniqueness of our various communities.	Include in the plan a process that would look at individual neighbourhoods to determine what is appropriate for that neighbourhood.
Natural Hazards/Climate Change	General natural hazards/Climate change	Oppose	Information from the Nelson Planning department states that "It is possible to build on areas of liquefaction and other natural hazard areas because there are methods that can be used to mitigate the impact of those hazards". Knowingly placing residential units that will cost more and possibly impact future owners is wrong-headed!	Plan should determine the best siting for residential development that would avoid areas of extreme natural hazards.
Entire Plan Change	General opposition	Oppose	Under PC29, as currently written, developers can increase the number of residential units, in a previously approved plan, without notice to neighbouring homes. Neighbours should have the right to make comments on such changes that could have a significant impact on them.	Notice to be provided, and opportunity to comment, to neighbouring homes of all changes in previously approved plans for residential housing.

Residential Zones	Medium Density Residential Zone	Amend	Under the current planning rule there is a requirement for a Recession Plane to be at 25 degrees. This provides homes the opportunity to have an adequate amount of sunlight for healthy living as supported by many medical studies. Yet, the new plan change will limit us on sunlight by changing the plan to 60 degrees. My understanding, from the planning team, is the change was made because tall buildings could not be built under the current requirements. This is not an acceptable justification for a change that could have such a severe impact on many of our residential areas. This change will drastically impact one the main reasons why people move to Nelson, from all over the world - it is the sunniest place in NZ.	Reduce the proposed Recession Plane from 60 degree to 25 degrees.
Residential Zones	Medium Density Residential Zone	Amend	A decrease in the setbacks from 1.5 meters to 1 meter will cause the loss of light to a neighbouring property. The current plan is already providing for a tight crowding of houses and this Plan will dramatically worsen the situation.	Rear and side setbacks should be no less than 1.5 meters.
Entire Plan Change	General opposition	Amend	This would avoid a gun shot approach to the changes to our community and could be thoughtfully planned and expanded as needed. It is a frightening thought that over the next 30 years having an approved plan that would likely change the landscape of our entire beautiful city. Just Imagining a series 4 to 6 story apartment complexes dotted around the neighbourhoods is unbearable.	Change the proposed plan to include a phased-in approach for intensification - starting with areas that will have the least impact on current residential areas.

Entire Plan Change	The Plan Change process	Amend	All of the emphasis for the PC 29 is about the needs of future people moving to our community. Currently there is nothing in the proposed changes that considers the impact on existing homeowners. A plan that addresses the needs of all concerned is the right thing to do.	Include provisions for existing homeowners that will consider their rights for radical changes that will affect the value and enjoyment of their homes.
Entire Plan Change	General opposition	Amend	Nearly every part of our professional and personal lives suggest that it is good practice to plan in advance. Our current Future Development Plan spells out the need for neighbourhood plans, yet PC 29 does not take that into account. We know that when people who are likely to be affected by change are involved in the process, not only are happier but they very often provide valuable input along the way. Yet all of the planning of this Broad Brush non-plan has been done without adequate input from those it will serve. It is a proven fact that well-designed towns and cities do not happen by chance - they are thoughtful planned.	Plan Change 29 should include a Plan rather than using a Broad Brush approach to provide intensification in our community,
Entire Plan Change	General support	Support in part	Yes, we need intensification, but PC 29 lacks a process that has been inclusive of the people it affects, and has been poorly drafted.	Intensification of the Nelson Tasman region is needed and it is important.

Submission - pc 29 - Nelson City Council

Sue Thomas

sueandevanthomas@gmail.com

PC 29 intensification - height restrictions on buildings in Washington Valley

I oppose the allowance of up to 6 storey buildings to be allowed to be built in Washington Valley

I wish NCC to refrain from allowing such inappropriate buildings on the following grounds:

- 1) lack of provision for parking**
- 2) lack of provision for traffic flow**
- 3) lack of provision for flooding in the area**
- 4) lack of consideration for the social cohesiveness of Washington Valley**

I wish to speak to my submission at a public hearing.

I will not gain any advantage in trade competition through my submission.

Sue Thomas

12/Sr
Sue Thomas

Submission relating to Plan Change 29 relating to High Density Residential Zone in Washington Valley.

My submission is to oppose the plan to allow up to 6 storey buildings being built in Washington Valley with or without resource consent. I oppose this plan on four different grounds:

- 1) lack of provision for parking which will in turn cause major traffic problems
- 2) lack of provision for traffic flow
- 3) lack of provision to allow for flooding which occurs in the area
- 4) lack of consideration of the social cohesiveness of the Washington Valley community

I request that the Washington Valley area/zone be rezoned to General Residential Zone.

Background -

Apart from 6 years away at university I have lived all my life in the Nelson area. I am very familiar with Washington Valley because as a child I lived in Quebec Road and later Wakefield Quay and travelled up and down Washington Valley every day until I left Nelson to go to university. I have never lived in Washington Valley but jointly own a historic property in Rentone Street that was built in 1878 which we have restored and turned into a highly desirable rental property. We have owned that property for more than 20 years. I also am the landlord of another property in Rentone Street for a family member. I drive up or down Washington Valley to work most days on one of our heritage properties in a nearby area. Because I do not live in or near Washington Valley I don't think I can be accused of being a nimby.

1) Lack of provision for parking

My understanding is that under Plan Change 29 a building can be permitted to be constructed up to 6 storeys high with no provision whatsoever for parking. Washington Valley/Washington Road is a flat moderately narrow valley which provides road access for an ever increasing number of vehicles from the surrounding hills. It is the main access for all vehicles from Princess Drive, Arrow Street, Quebec Road, Britannia Heights, Fifeshire Crescent, Richardson Street, The Cliffs, Stanley Crescent, one half of Russell Street, Mt Vernon Place, Washington Terrace and numerous other streets, all of Valley Heights subdivision as well as the increasing number of houses being built in upper Washington Valley including the 37 residential lots that are currently listed (August 2023) in one small section of a subdivision. In addition it is also becoming the quick way into town from the state highway of Rocks Road via Richardson Street. The number of cars is increasing daily as more and more houses are being built on the surrounding hillsides. Parking is starting to be an issue - it is already a problem in Rentone Street and Russell Street which both connect with Washington Valley. A great deal of residences have more than one vehicle and the surplus are parked on the road side somewhere. If 6 storey buildings are allowed to be built then one building could potentially contain 6 or more flats or apartments. Each of those flats could have four adult residents each with their own car. So one building could provide residents that require up to 24 car parking spaces and if the flats were built so there were two flats on each storey then the problem would double to 48 car parks required. That would be for one property. If there were 6 such buildings built then the problem would be a huge problem of nearly 300 car parks required. Where would the residents park? It appears to me that the planners promoting this area as suitable for 6 storey construction do not know the area and certainly have not considered the problem of parking. When two NCC senior planners were asked where the residents would park the response was "we hope they won't have cars, that they will use buses instead of cars". That may work for large inner cities but this is Nelson with Nelsonians who are not used to a good bus service and the answer from the planners simply showed lack of proper consideration and local knowledge. Because there is no provision for parking required then there will be no provision for electric vehicle charging, either cars nor bikes.

2) Lack of provision for traffic flow

With the huge increase of vehicles including buses using the road once both sides of Washington Valley are packed with residents vehicles the carriageway will be extremely limited for the rapidly increasing amount of traffic using the road. It would be a disaster waiting to happen. This has

clearly not been considered by the planners proposing up to 6 storey buildings in Washington Valley. Emergency vehicles trying to use the road will be severely impeded.

3) Lack of provision for flooding in the area

My understanding is that the entire area of Nelson known as the Wood area has been excluded from the proposal to build up to 6 storey buildings without resource consent because it is prone to flooding. The same should apply to Washington Valley which floods far more readily than any area of the Wood. Washington Valley is an old stream bed - the stream would have flowed down the valley towards the sea which prior to European arrival came up to the area known as Pioneer Park. Some of that drainage has now been transferred into stormwater drains but there is still a problem of flooding on one side of Washington Valley and particularly at the bottom of the valley. The Warehouse carpark area is particularly prone to tidal flooding and closed as is Gloucester Street and the area by the roundabout at the intersection of Gloucester Street and Vanguard Street. Stormwater can be partially controlled, tidal surges can not and neither can the combination of massive amounts of stormwater and tidal incursion.

Over the years the council have resealed the road in Washington Valley by putting coat after coat of bitumen on top of what has been there before. As a result the road is now almost a metre higher than what it was originally and this can be seen quite clearly in one of the very old cottages at 50 Washington Road if it is viewed from the street and not from a photo. This has accentuated the flooding problem for property owners - one side of 2 Rentone Street has extensive rotting caused by excessive soil moisture, as a result what was a former family rental property has been abandoned and vacant for many years. The property at 4 Rentone Street next door has flooding problems at the northern area of the section, again caused by excessive moisture.

When a new stormwater drain was installed in Hastings Street off the bottom of Washington Valley recently, council contractors were surprised to discover that there were multiple layers of bitumen that not only took a great deal more time to remove but also a great deal more ratepayers money. Exactly the same will be discovered in Washington Valley when the delayed stormwater drains are installed. The council may be aware of the flooding possibility because when a house was demolished recently after being destroyed by fire the owner stated he was forced by the council to raise the level of the land by a metre with gravel.

The tide used to come up to Gloucester Street area pre European times particularly with spring tides. The adjacent areas were tidal swamps. There have been several occasions in living memory when the tide and flooding has been more than knee high in the bottom of Washington Valley area - no provision has been made for the huge amount of traffic that will be unable to get into Nelson because of flooding at the bottom of Washington Valley. With global warming and sea surges the problem will get worse and will be exacerbated by car owners trying to drive over Moana Avenue/ Princes Drive because the main highway around the sea front from Tahunanui Beach will be closed.

4) Lack of consideration for the social cohesiveness of Washington Valley

Washington Valley is a reasonable cold almost totally windless valley that loses the sun early in the afternoons particularly in winter. It was however originally built on and farmed by early settlers because it was close to the centre of town. Because of its sheltered nature it has very little or no wind and as a result was particularly smokey because burning wood in open fires and later log burners was the preferred method of heating for what was regarded as a cold, low income residential area. It has a side street called Wolfe Street which was always regarded as an extremely undesirable area because the government of the day built a string of identical difficult to heat houses on one side of the street on sloping sections with no garages or provision for off street parking. They were poorly managed and occupied by those people who could not find better accommodation. A lot of the houses in Washington Road were poorly maintained rentals from my direct knowledge from the 1950s until circa 2000. The council gradually brought in clean air regulations which to some degree controlled the smoke problem and gradually the area has been slowly transformed - more owner occupiers have moved in, improved their houses, established gardens and it has become a more desirable place to live particularly after the Wolfe Street state houses were sold to private owner occupiers and the local Lost Breed motorbike

gang shifted their clubhouse to a commercial building near the Warehouse. The concern amongst residents now is that if the 6 storey no resource consent neighbours have no say provision is allowed to proceed the social cohesiveness of the area will be destroyed. There are no views in Washington Valley so highly desirable apartments will not be built. The only likely entity to build 6 storey buildings will be Kainga Ora and while they do an admirable job of housing tenants that no private landlord will risk tenaning their properties to, to do it on mass is a recipe for disaster. Kainga Ora own three identical properties on one section in Washington Valley already and there are problems from them being so close to each other. Whilst the screaming and fighting and throwing furniture and other possessions over the fences is on occasion entertaining for the locals on the other side of the valley, having a multitude of such groups of tenants together is not good social policy. Last year there was a murder at one of the neighbouring properties - a young man got murdered by mistake - the murderer killed the wrong man in the wrong house over a bad drug deal.

Because I do not own a property that will be affected by lack of sunlight or privacy I have not made comment on that but it will be a real problem for many owners. The publicity for Plan Change 29 has been poor and many owners are totally unaware of how it will affect them but it could have a very severe impact on their properties.

I want the council to completely rethink how ridiculous a 6 storey building in any area of Washington Valley would be - I challenge every one of them along with all NCC planners to take a walk up Washington Valley and imagine transplanting the council building (which is 6 storeys) there.

I wish to appear in person to address the hearing panel.

Sue Thomas

Sue Thomas
17/10/2023

Submission - pc 29 - Nelson City Council

Sue Thomas

sueandevanthomas@gmail.com

pc 29 heritage section - evaluations and classifications

Oppose the heritage evaluations and classifications in whole

Reports are riddled with errors and are grossly inaccurate and the classifications have been made on those error ridden, inaccurate reports

I wish NCC to have the heritage reports redone by someone with the required amount of skill, knowledge, accuracy and rigour necessary for an accurate outcome and as a result of that have the heritage classifications on NCC heritage list redone

I wish to speak to my submission at a public hearing

I will not gain any advantage in trade competition through my submission.

Sue Thomas
17/10/2023

Plan Change 29 - Submission of Sue Thomas

I wish to submit that the reports completed on Nelson City Council heritage listings by the Hamilton based heritage consultant as a desk top exercise from Hamilton for Nelson City Council are not accurate and the resulting classification made by that consultant are inappropriate based on often incorrect information. The degree of rigour required to produce accurate reports has not been exercised in the preparation of the PC29 citations.

I seek to have the original heritage classifications reinstated immediately until those classifications have been reassessed in a more competent manner by someone who is more thorough and uses a greater degree of expertise and effort.

I am a retired judicial officer who has lived in Nelson for all my life apart from 6 years away at university. I have jointly with my husband restored five heritage properties in Nelson and still own them as rental properties. In order to undertake accurate restoration of each of those properties I have taken a keen interest in the social and architectural history of those properties as well as the wider area. I have undertaken extensive research on several properties in Nelson, both those that we own plus others that I have been commissioned to research and write their history. When I have researched a commercial building I have, with the owners permission, put a copy of my research report in the archives section of Nelson Museum. I am currently researching and writing a report with the Nelson museum archivist on a recently discovered Bethell Chapel in the Port area of Nelson and have agreed to work with the chief librarian at Nelson Library on an article for their website on 'how to research your old house'. I have over 25 years of heritage building research experience and report writing on Nelson properties and over 30 years doing a huge amount of genealogy research.

No consultation was made at any time either before, during or after, with any heritage property owner that this assessment of the heritage properties was being done or had been undertaken. NCC failed to notify any owner and the consultant involved did not contact any owner nor go onto any property unless she had a chance encounter with the owner and was invited to do so on a handful of properties. None of the property owners have been advised that their property has been reassessed and no property owner has been provided with a copy of the report on their property nor that it has been removed from the list nor had its rating changed. In addition Heritage New

Zealand who have categorised some of the properties on Heritage NZ List and installed several monuments have not been consulted or even informed. Ditto for the Nelson Historical Society. Discovery for those heritage property owners who are aware of pc 29 heritage changes has been made completely by chance.

NCC have claimed an email was sent on 27 October 2020 but no heritage property owner of the large number we have contacted has any record of receiving such an email and when provided with a copy recently of that email that no one received, it was discovered that it does not mention anything about any assessments or reports completed on each property.

I believe if heritage property owners had been made aware of the PC 29 heritage changes there would be a great deal more submissions on that part of PC 29. The publicity about PC29 has been almost exclusively on allowing or not allowing multi storey buildings in areas of Nelson.

I oppose the planned heritage changes to the NCC heritage list in its entirety on the basis that the reports are unreliable and riddled with errors leading to incorrect assumptions. I am deeply concerned that such error ridden reports will be available in the public domain as being true and accurate when in fact they are the opposite.

I wish to have the heritage reports redone by someone more competent and thorough and would suggest that initially those properties that the Hamilton consultant has removed from the list be re-evaluated and then those that have had their rating downgraded be re-evaluated. I have listed 9 properties which I have expert knowledge of and have in the past written their history. The NCC commissioned reports on all of them vary in the number of errors but I have no doubt that these reports are no different from most if not all of the other reports completed as a desk top exercise from Hamilton by someone who has never visited any of the properties and thus has no real knowledge of them.

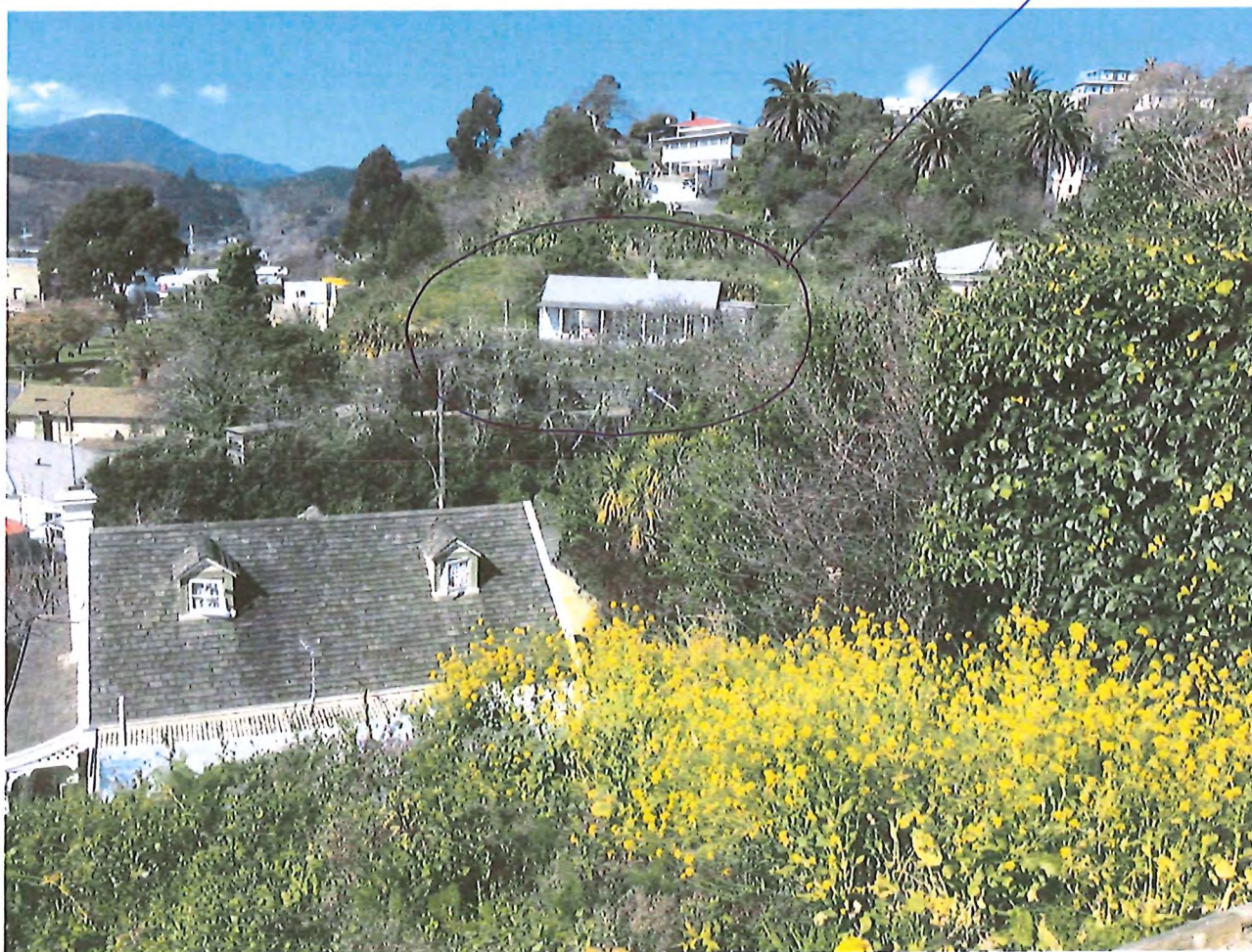
The properties I have direct knowledge of that I wish to have re-evaluated by someone else with more knowledge who actually visits each property rather than do an incorrect assessment from a photo from another part of the country are:

④ST

1) **11 Russell Street Lot 4 DP 1474** Native reserve town acre 51 as part of the Nelson Tenth, allocation made by Magistrate Thompson in 1841.

Was B ranked heritage item before the Heritage Consultants' report which has deleted it.

This is a property which has an extremely poor report by the Hamilton consultant - the author could not see the building on the property so took a photo of the roof at the rear and then came to a conclusion that it should be deleted from the heritage register because 'it appears to have limited architectural values' - an assessment made without even seeing the property which is quite unbelievable.



I was so concerned with this report that I paid \$95 to get the historic title search from LINZ and spent 6 hours at Museum archives to find out its history plus probably about 6 hours online at home. It is impossible to research it as a desk top exercise without looking at Nelson city rating records which are not available on line.

This property was built on part of town acre 51 which was designated as Maori Reserve land by the then Nelson Magistrate Thompson as part of the Nelson tenths settlement. It was leasehold land until the late 20th century.

I request that the heritage listing be changed from deletion to Category A since it is the oldest surviving building in the Russell Street heritage precinct, has links to the first clerk of the Provincial Government George Powney White and to John Poynter, one of Nelson's first magistrates. Later links to mariners and boat builders which is typical of the inhabitants of the street close to the Port.

Cottage was built in 1853 by George Powney White - clerk of the Nelson Provincial Council until his death aged 80 in 1867 when it was bequeathed to John Poynter, Nelson magistrate.

Building then occupied by Henry and Emma Goddard until Henry's death in 1874. Emma inherited the lease and remained in the cottage with her two children (one born in the cottage) and then married Thomas Richard Haywood Taylor, a boat builder. Because married women could not own property (even leasehold property) in their own names prior to 1880 the ownership reverted to her new husband's ownership - that of TRH Taylor. Mr Taylor got into financial difficulties, borrowed money from a near neighbour John Scott who took ownership after Mr Taylor went bankrupt. It was then owned by Thomas Symes who lived in Takaka so it is likely it remained a rental cottage.

In 1879 it was sold to Edward Proctor Morris who lived in it until 1892 when it was again rented.

In 1899 Jas Cullen Williams, a labourer purchased it and lived in it with his family. He changed from being a labourer to a sailor to a Master mariner during his ownership and his wife gave birth to several children in the cottage. Mr Williams died in the cottage in 1929 and during that time he enclosed the verandah presumably to accommodate his 5 children.

In 1929 ownership passed to Minnie Williams, Jas Williams' widow as executor and later as beneficiary of her husband's will.

It has steadily changed hands since that time and has had a variety of owners both as owner occupants and as landlords.

The cottage is remarkable in that it has changed very little. In 1975 there was a small slip at the rear of the cottage which was removed under the building consent labelled 'reinstate dwelling' but the cottage itself was not damaged nor altered. The enclosure of the verandah was removed in 1999 so the cottage resembled its original form and structure and a small room added on the southern end in 1978.

A modern shipping container like building was built in the front yard in 2012 as a hairdressing business and it staggered residents of the Russell Street heritage precinct that NCC planners allowed a modern building to be built in front of the oldest building in the street in a heritage precinct.

The errors made by Heritage Consultant in Hamilton are:

Incorrect reading of land records resulting in incorrect guess of date of construction

No research of Nelson rating records

No apparent knowledge of nor mention of the first owner George Powney White

Incorrect assumption of building architectural value because building has never been actually seen by the Hamilton consultant

No record or explanation of Maori tenths land and its significance both historically and scientifically

No accurate date of construction due to lack of research

No architect /designer/builder given

No style stated

No physical description stated

No materials nor structure stated

No detail of alterations or additions stated

No surroundings or extent of scheduling stated

No history heading given

No historical and social significance stated despite being on the same town acre as a Maori hostelry

No cultural and spiritual significance stated

No architectural and aesthetic significance stated

No technological and craftsman significance stated

No archaeological significance stated

No group, landmark and contextural significance stated

No summary of heritage significance stated

No references given

Incorrectly states additional buildings have been built on the site - only one has, the hairdressing salon in a black container like construction in 2012.

NO PEER REVIEW UNDERTAKEN

In short the report is totally inadequate and not able to support the proposal for deletion from the heritage register and I request 11 Russell Street be reinstated and given a category A listing.

2) 205 Haven Road Lot 1 DP 441237 Part of Town Acre 50

Formerly Category A on the NCC heritage listing until removed by the Hamilton based researcher based solely on a blurred photo taken approximately 200 metres away from across the other side of the main highway so only part of the front of the cottage is visible and photo doesn't provide any detail. **The cottage was built in 1843 making it the oldest building in Nelson.**

I wish to have the property re- evaluated or revert to the expert report and evaluation completed by Ian Bowman, local Nelson heritage architect for NCC sometime around 2010. His inspection was incredibly detailed both inside and out, under the house and in the ceiling space. He also looked at our huge amount of research and pointed out typical details of 1843 construction such as sail cloth ceiling in the parlour, original kauri floor boards in the front two rooms, stone piles from stones from the Boulder Bank etc.



This is a property we bought in a derelict state when it was very overgrown and we restored it to its 1867 state when an addition had been added to the rear of the property. The 1867 addition was the conversion of the original lean to kitchen to a second bedroom and the conversion of another part of the lean to to a dining room. The new 1867 lean to was a new kitchen - over 135 years old by the time we purchased the property.

We have documentary evidence that the cottage was built as a 2 room cottage in 1843 by John Gibson, this is stated in a letter he wrote to the Governor of NZ in 1848 when he was a tide waiter. Copy in Archives NZ.

We have very strong physical evidence of the cottage being added onto in 1867 when the ownership transferred to John Gibson's son in law John Reardon. Shown in both the flooring and the roof framing- the original roof framing of the 2 room section was discovered during restoration

It was restored over a period of 2006 to 2010 after extensive research was done.

The Hamilton based heritage consultant has made the following errors

- no mention of Gibson family arrival in 1842 on the Fifeshire and because the titles to sections were not ready the early settlers had to squat on the land as the Gibsons did on this site. They didn't camp on the beach for 9 years until the crown grant was ready in 1851, they built a 2 room cottage at 205 Haven Road in 1843.
- Details of the 2 room cottage are held in a document at archives NZ which the Hamilton based researcher has failed to look at
- incorrect statement saying the 1843 cottage was gone by 1867 - it is quite clear from examining old photos and parts of the building inside that the cottage built in 1843 was extended in 1867. The front of the cottage was not altered.
- incorrect reading of the early Nelson rating records where they state new house in 1867 - the Hamilton based researcher has wrongly concluded that the old house was removed and a new one built. What new house meant in the rating records was that a new rating value was calculated because the original house had been extended and given a new value
- incorrect assumption that all of the external doors and windows have been replaced, that is incorrect but couldn't possibly be accurately determined by just looking at one blurred photo taken from some distance away that showed only part of one elevation of the cottage and not examining the property closely
- incorrect assumption that a verandah has been added on the north elevation - the verandah has always been there as evidenced in old photos

of the cottage and by examining the original french doors which open onto that verandah but are hidden by verandah posts in the one photo the heritage consultant has used for the assessment. The verandah is clearly visible in the two old photos used by the assessor but she has apparently failed to notice it

- incorrect information regarding the Reardons going farming on Gibsons Island in Pelorus. They didn't - John Gibson put his son in law James Reardon who was a chronic alcoholic on Maud Island by himself with a small boat with no oars in order to try and sober him up after he was continually physically abusive to his wife when drunk. After he made some oars from tree branches and rowed 18 hours into the Havelock pub the Gibson family including his wife and children had no more to do with him and John Reardon died a pauper in the North Island in 1925.
- incorrect assumption that the renovations have significantly compromised the authenticity of the building - instead they have enhanced and preserved it. Although we have had to replace the original stone piles from the Boulder Bank that were used under the front 1843 original section of the house because they do not comply with the NCC building regulations we have endeavoured to retain as much of the original fabric of the cottage as possible whilst conforming with modern building consent requirements and the requirements of the Port Nelson noise overlay. The addition of a verandah on the Western side was made by a former owner nearly 100 years ago and is a typical adaption of a house for current living
- failure of the consultant to apparently know anything of the Port Nelson noise overlay and building requirements of being in that overlay
- wrong date of construction - no evidence of any removal of any building - original stone piles, original kauri floor, original tacks for the sailcloth ceiling in the parlour, original timber ceiling in the hall, original roof framing for original lean to - all features typical of an 1843 construction and not an 1867 construction
- no architect/designer/builder given
- no style mentioned
- no accurate physical description given
-
- no details of materials or structure given

- inaccurate detail given of additions or alterations based on incorrect assumptions
- no surroundings and extent of scheduling given
- no historical and social significance despite it being a cottage built by a family on the first passenger boat into Nelson and despite John Gibson being employed as a tide waiter
- no cultural and spiritual significance despite adjoining the Maori reserve and Maori hostelry
- no architectural and aesthetic significance stated
- no technological and craftsman significance stated despite the same restorers being praised for very similar work on a nearby property
- no archaeological significance stated despite being next to a Maori hostelry
- no group, landmark and contextual significance stated despite cottage adjoining Russell Street properties of similar ages
- no summary of the heritage significance despite being the first property to be built on a raised area in order for John Gibson to be able to view the sailing ships passing along the other side of the Boulder Bank and get down to the wharf in time to collect the landing fees.
- no references given

NO PEER REVIEW

In addition to Ian Bowman inspecting the property shortly after we had started restoration and him writing a very detailed report in which he stated the front section was typical 1843 and the back section was 1867 he told us he was so impressed with the sensitive and meticulous way we were handling the restoration he asked if he could come back from time to time to see what we were doing. He did just that and was always highly complimentary at the extraordinary lengths we were going to, to maintain the integrity and character of the building. We have also had Jeremy Salmond, probably New Zealand's pre-eminent architectural historian stay in the cottage and he

pointed out several typical 1843 features of the front section of the cottage and was highly complimentary of the sensitive and meticulous way we had restored it. We would suggest that Mr Salmond and Mr Bowman who both came to the same conclusion quite independently at differing times, were far more knowledgeable than the Hamilton based researcher doing her assessment as a desk top exercise without ever setting foot on the property and only viewing a somewhat blurred photo of part of the front of the cottage taken from several hundred metres away. We understand the Hamilton based researcher has a qualification in art history, is not and never has been an architect and does not hold any architectural qualifications whereas both Jeremy Salmond and Ian Bowman had both acquired multiple heritage architecture qualifications and both have worked as architects specialising in heritage work.

3) 278 Nayland Road Stoke, Broadgreen Gatekeepers Cottage

Pt Lot 1 DP 6146 - formerly listed as Category A on NCC heritage listing, demoted to category B by Heritage Consultants Limited

I submit that the change in the heritage listing from Category A to Category B is inappropriate and based on multiple errors made by the Heritage Consultant as a desk top exercise from Hamilton.

I wish the former category A listing be reinstated based on the correct facts of the property.

I wish to point on the multiple errors I believe the heritage assessor for NCC made in compiling a report on the cottage at 278 Nayland Road and how she has come to completely the wrong conclusions due to incorrect assumptions.



1) Broadgreen House has never been known in Nelson as an estate, it was a former farm with a large Welsh style farm house near the centre and has always been just known as Broadgreen House or simply Broadgreen.

2) We own the small rather unusual cottage built very close to the main gates into Broadgreen. It is unusual for four main reasons, firstly because it was built very close to the road edge (the road has been widened which makes it even closer), secondly it is very close to the Broadgreen Gates, thirdly because it is overly ornate in the front for a cottage, with a row of corbels under the front eave and fourthly because it had a wide open verandah built on the Northern side of the cottage overlooking the drive next door. However those four very unusual features are perfectly logical when you realise it was built as a Gatekeepers Cottage. Mr Edmund Buxton who built Broadgreen House and owned the surrounding farm land including where our cottage is, was a very pompous, rich and arrogant man who fell out frequently with almost anyone over anything. He built large grand gates at the main entrance to Broadgreen House and then built a Gatekeepers Cottage to house a gatekeeper who could open and shut the gates whenever Mr Buxton or any of his family wanted to leave or enter in their pony and trap. The cottage had to be close to the road and gates which it is and the unusual verandah on the northern side gave easy viewing over to the back of Broadgreen so the gatekeeper could get to open the gates in time. The third unusual feature, the fancy corbels, would have simply been a sign to the public of how grand Mr Buxton was. And having a gatekeeper was the perfect way to keep unwanted visitors out, particularly those people he had had arguments with or grudges against. Having a gatekeeper was a sign of wealth, status and importance, stately homes in England where Mr Buxton came from had gatekeepers.

These four things were pointed out to us by Alison Dangerfield, a highly qualified heritage architect from Heritage New Zealand many years ago on one of her visits. She told us that it made our cottage very significant historically because as far as she knew it was the only surviving Gatekeepers Cottage remaining in the top of the South Island.

This view that our cottage was a gatekeepers cottage was also repeated by the late Jeremy Salmond, a renowned NZ heritage architect who visited our cottage during a visit to Nelson.

It is unfortunate that the NCC heritage report writer has failed to realise those four things and failed to put them into context with relation to the cottage. She has also made wrong assumptions based on two advertisements in the local newspaper of the time.

3) The heritage report writer has erroneously called the Gatekeepers cottage Willow Brook Cottage because of an advertisement in the Nelson Examiner on 12 January 1864 for a birth to the wife of Thomas Henry Chisnall of Willow Brook Cottage at Stoke. Unfortunately the report writer has confused two completely separate cottages, Willow Brook Cottage was near Poor Mans Valley Stream near Isel House where Mr Chisnall was working at the time.

Numerous descendants have stated that Willow Brook Cottage was somewhere in the vicinity of Hilliard Street in Stoke and had nothing to do with our cottage in Nayland Road. It is unfortunate the report writer has made such a basic error. She also fails to realise that Suburban South was the more common term for Stoke.

4) the fourth major error the report writer has made is reading an advertisement in July 1857 in the Nelson Examiner for a farm servant for Mr Buxton and that a cottage would be provided; the report writer has wrongly assumed that our Gate Keepers Cottage was that Cottage. No one would put a farm servants cottage in such a place and our understanding is there was another much more basic and smaller 2 room cottage in the middle of the farm and nearer Songer Street. No remains of it have been found in recent times but that is hardly surprising given that the farm was turned into an orchard and then later subdivided and built on. A former occupant of our cottage, Dick Langbein told us that they were not allowed to play in it when they were children but always thought it was haunted because it was next to the pet cemetery. In Dick's day it was used to store hay. So the reference to our cottage as a farm workers cottage or Willow Brook Cottage are both blatantly incorrect and we would like them corrected.

5) We have serious concerns as to whether the report writer has ever viewed the cottage. We have since learnt that she did all her report as a desk top exercise from Hamilton without visiting the cottage. (Email from NCC planner Mithran Gopinath). The report writer appears to have obtained all the history of building alterations from basic city council information on building consents or from detail we supplied to NCC when applying for a heritage grant to assist with re-roofing or installing new stormwater drains. The report writer makes the bizarre claim that the garage is built over the boundary into a neighbouring property in Songer Street. If she had viewed the property in person even from the street she could have walked down the driveway at Broadgreen which is open to the public and looked for herself, she would have seen the garage is built at least a metre inside the high boundary fence. What we suspect the report writer has done in her haste to compile a low budget report is look at an aerial photograph taken from the other side of the

road and jump to completely the wrong conclusion and never look at the actual cottage in person.

6) There is no mention of the Northern verandah in the report, it is incorrectly referred to as a lean to. It was enclosed in the 1930s by the Langbein family in order to make more bedrooms and an inside bathroom, but the report writer has not realised that possibly because it appears she has never viewed the property in person and certainly because she has never been inside the cottage nor spoken to any of the former owners or residents.

7) NO PEER REVIEW

There is no mention in the report dated 4 June 2015 as to why the report writer has now downgraded our Gatekeepers Cottage from a category A to a category B listing. We don't see any justification for that especially given the multiplicity of errors in the report and in view of Alison Dangerfield's comments on one of her several visits to the property particularly that it was extremely rare because it was in the view of Heritage New Zealand the only surviving gatehouse in the top of the South Island. We believe Alison Dangerfield who is a highly qualified heritage architect employed for many years by Heritage New Zealand and formerly of the NZ Historic Places Trust and the late Jeremy Salmond, an equally qualified heritage architect and author of several text books on NZ heritage architecture are/were far far more knowledgeable about our cottage than the report writer employed by the council from 2015 to 2022. We understand the report writer is not and has never been an architect nor a heritage architect.

We wish to have the category A listed reinstated and the incorrect report removed from NCC records.

9 Rentone Street, Part Section 95 Nelson

Formerly B rating in NCC heritage list, deleted by Heritage Consultancy Services in one report dated 7 August 2020 but retained as category B in a second report dated 9 June 2015. Both reports were completed as a desk top exercise using the same photo from 2015.

We submit that an A listing is appropriate now it has been fully restored (2021- 2022) and that the deletion made by Heritage Consultancy Services is both inappropriate, outdated and based on incorrect facts and is based on a photo taken nearly 10 years ago and completely contradicts a report written by the same author using the same photo on 9 June 2015.

We request it be listed either with an A or a B listing.

Bizarrely, Heritage Consultancy Services have reviewed this property twice with very different reports and outcomes. I suspect the report writer failed to check but her first report is on page 34, 35, 36 with a completion date for the report of 9 June 2015 in part 3G - Draft Nelson Plan - Heritage Assessment Methodology. In that report it states that 'the cottage has heritage significance to Nelson. The building has historic significance for its association with the Heath family and cultural significance as a demonstration of the way of life of the early residents of Rentone Street. The cottage has some architectural significance in view of its age. The cottage at 9 Rentone Street has contextual significance in relationship to other 19th century cottages and others in the suburb of Stepneyville.'

However in the second report which is part of section 32 = Evaluation Report Plan Change 29 - 3N MRMP Plan Change 29 Heritage buildings places and objects assessments 2015-2023 dated 7 August 2020 using exactly the same photo as the report dated 9 June 2015 she has come to a completely different conclusion. 'The dwelling has been highly modified and now has insufficient authenticity to merit scheduling on the district plan. Recommendation - delete from heritage schedule'.

That two reports written by the same author 5 years apart on the same subject and based on the same photo taken in 2015 come to completely different conclusions is ridiculous and shows the lack of rigour applied to the whole report process.

(1981

9 Rentone Street - photo 2023



This cottage was built in 1878-1879 by Samuel Heath immediately prior to his marriage to Eliza Robinson who lived directly opposite. It was a tiny roomed 4 room cottage with a central hallway from the original front door to the lean to kitchen. There was no bathroom. It is the second to oldest remaining building in Rentone Street. We purchased it in 2003 when it was in a very run down state and badly altered. We have since restored it back to its near original condition and incorporated the additions made in 1905 and 1958. One of the consultants report is dated 7 August 2020 but we believe that her report was compiled much earlier and is based on photos taken and superficial research done many years earlier - possibly 2015. We have been informed that she did her report as a desk top exercise from Hamilton.

The photo in the report is grossly out of date - we started restoring this property inside from when we first purchased it in 2003 and then fully restored the outside in 2018 to 2022. It looks very different now to what it looks like in the photo that has been included in both reports.

(2051

It appears that the report writer has read our building consent application and and heritage grant applications and taken some details from that and has done very little research of her own.

She has failed to mention that the Lynch family lived in the cottage from 1956 until the mid 1960s and at the same time operated a neighbourhood IGA store named Rentone Store from that date. They shifted from the property to live further up the valley in 1961 and the residential part of the property was occupied by a relative. The grocery store ceased to exist in 1961 when they built a purpose built building in Washington Valley. The report writer has failed to include that.

We have meticulously restored the cottage, removed all the stucco, reinstated the open front verandah and converted what was formerly the storeroom for the shop into a kitchen dining area. The building has never been highly modified and has now been restored with great care and skill to give it authenticity to merit a high scheduling on the district plan. It is an important part of Washington Valley's early history - it is the second to oldest of 10 cottages built in Rentone Street. Only one other cottage remains in near original condition.



The report writer has failed to in the report dated 7 August 2020

- 1) include the NCC file number
- 2) give the correct date of construction
- 3) give any architect/designer/builder
- 4) give any style
- 5) give an accurate physical description for August 2020
- 6) give an accurate description of materials or structure
- 7) accurately describe alterations or additions
- 8) give any details of surroundings or extant of scheduling
- 9) give any history heading
- 10) give any historical or social significance
- 11) give any cultural or spiritual significance
- 12) give any architectural and aesthetic significance
- 12) give any detail of any technological and craftsman significance
- 12) give any archaeological significance

NO PEER REVIEW

Her report dated 7 August 2020 is very out dated and quite different from the report she made initially on two cottages which she made in order to obtain the contract from Nelson City Council in 2015. Coincidentally both the cottages that she compiled sample reports on are two that we own and which we had supplied NCC with details. The report writer has failed to acknowledge that that research was not her own but in fact our research taken from our building consents and heritage fund applications.

We request that 9 Rentone Street be reinstated on the NCC heritage list and be given an A category in light of its importance to the Washington Valley area which was one of the very early settlement sites in Nelson.

8 Russell Street Part section town acre 40 Nelson

Lot 1 DP9563

NCC file number 1971083700

I wish to submit that although the category listing of an A listing on the NCC heritage list is correct, a great deal of the detail contained in the report compiled by Heritage Consultancy Services Ltd is factually incorrect and I do not want that incorrect detail included on a public available NCC record.

I wish the report to be withdrawn from public record and redone by someone more competent in research.

We purchased this property in 2000 and I spent a year researching it and tracing descendants of former owners in order to obtain photos of the original building before we started meticulously restoring it.

The original cottage was built by Edward Hugh Ennes Blackmore, a customs collector at Port Nelson. The original cottage built in 1855 was a single storey cottage with a hip roof and had four rooms, a central hallway, a front verandah and a lean to kitchen. There was no bathroom.

Edward Hugh Ennes Blackmore was caught stealing several hundreds of thousands of dollars equivalent of customs duties in 1856. Because he was middle class and clearly had spent the money in some scheme that provided no returns such as a coastal boat or a gold mine and was unable to pay the money back he came to an agreement with the local magistrate, John Poynter and the Commissioner of Crown Lands to forfeit the property, his furniture and his cows and horses and leave the country with his family. He left behind his father Edward Blackmore MD - a medical doctor who initially lived in Haven Road. The Blackmore scandal was the biggest scandal to hit Nelson for several years. The house, still a single storey was put up for auction in 1857 by Magistrate Poynter who sold it to Robert Simpson, a recently arrived stonemason from Scotland. He purchased it for cash but then took out a mortgage in 1878 to extend it by pushing out the attic at either end and installing a very narrow staircase to the attic area which was then divided into three small bedrooms. Both Mr and Mrs Simpson died in the cottage and after the death of Mrs Simpson the property was sold to Martha Kidson, the widow of the light house keeper who shifted in with her handicapped daughter Alice and her youngest son Russell (christened as

James but always known as Russell). Russell Simpson purchased the house from his mother's estate and shifted into it in 1943 with his second wife Ellen. He carried out extensive 1940 style alterations to the front of the house and he removed the stairs shortly before his death. Russell Kidson added a bathroom to one end of the lean to and inadvertently built it over the boundary with number 6 Russell Street.

We purchased the house in 2000 and after a year of having it as a rental and spending that year researching it we restored it not to its original single storey state but to the state Robert Simpson had extended it to in 1878.

The consultants report has a multiplicity of errors as detailed below

1) The report writer does not mention any of the early ownership - the land was granted by Crown Grant to James Smith Cross, Nelson's first harbourmaster. No mention of Mr Cross who was a significant figure in Nelson's early history is made in the report.

2) Mr Cross sold the property to Nelson's early magistrate, John Poynter. He was a very significant figure in Nelson's history and it is astounding he is not mentioned. Mr Poynter sold the land to Edward Hugh Ennes Blackmore, one of Nelson's first customs collectors.

3) basic confusion of Edward Hugh Ennes Blackmore customs collector and his father Edward Blackmore MD and the subsequent merging of them by the report writer into one person. This simply shows lack of basic research - if the report writer had typed in Edward Hugh Ennes Blackmore's name on google she would have come up with a very brief potted history of him from Sydney University including his theft of a huge amount of customs money. Instead because of lack of rigour in her research she had merged two people into one and come to the completely wrong conclusion about who built the cottage and when. It was Edward Hugh Ennes Blackmore's father, Edward Blackmore MD who lived in Haven Road and offered tuition.

4) Failure to look up rating records which clearly show the cottage was built in 1855 and occupied and owned by Mr Edward Hugh Ennes Blackmore, the customs collector.

5) Failure to look up Archives NZ. Not only has she got the two Mr Blackmores confused she has failed to look at Archives NZ to find out that Edward Hugh Ennes Blackmore, customs collector was found to have stolen several thousands of pounds of customs duties he had collected. He was

probably the first white collar criminal in Nelson and eventually caught. Because he was middle class like Mr Poynter the magistrate he came to an agreement that the house and contents was forfeited to Mr Poynter on behalf of the crown and then sold at auction by Mr Poynter. All of the detail of Mr Blackmore's crime and subsequent removal from NZ to Sydney was the major scandal of Nelson for 2 years but there is no mention of that in the report writer's report. That is astounding.

6) Failure to look at Papers Past of the day and read that Mr Poynter advertised the house for auction.

7) Failure to look at the land records and see that Mr Simpson purchased the property at auction and paid for it 3 days later. She also has mixed two different Robert Simpsons into one - the one she refers to lived in Washington Valley.

8) The report writer is completely wrong on the size and style of the house as well, Mr Blackmore built a SINGLE storey house with a hip roof, not a storey and a half house. The original hip roof framing was still present when we purchased the property. Mr Simpson extended the attic space in 1878 and put in a narrow staircase. None of that is mentioned in the report writers history.

9) The report writer has omitted a great deal about Mr Simpson - he went into partnership with a John Brown in a firm called Simpson and Brown and they were the main builders of headstones at Wakapuaka Cemetery. The only public record of his other work is his making the foundation stone for the Presbyterian Church in Nile Street. I have never seen any information to support the report writer's claim that he worked on the Nelson Provincial Buildings and find that claim to be implausible given that those buildings were built of wood and not stone and Mr Simpson was a stone mason, not a carpenter. The report writer appears to be completely wrong on a basic piece of Nelson history and architecture with no knowledge of the Nelson Provincial Buildings.

10) This report writer then goes on to refer to the cottage as being 'the former Simpson cottage' with no reference to Mr Blackmore who built it and was the first occupant.

11) We have restored the cottage to what it was like AFTER Mr Simpson extended the attic. We have NOT as the report writer claims restored it in keeping with its original style and form.

12) Refers to the cottage as being associated with Jane and Robert Simpson. I have no idea who Jane Simpson is - Robert was married to Jean Simpson and there is no reference to Edward Blackmore and his wife Jane Blackmore who built the original cottage in 1855.

13) The cottage has NOT been restored to its original form - that was a single storey. It has been restored to the form it was in 1878 when extended by Robert Simpson.

No peer review. Had there been a peer review of what can only be described as shoddy and inaccurate research then some or hopefully all of the errors may have been eliminated.

It is most unfortunate that this report has like all the other reports supplied to NCC has not been peer reviewed, one would hope that if it had been then at least some of the many errors would have been corrected. We want the report rewritten by someone with more research skills so it reflects the true history of the property and not a history based on errors made by the report writer/researcher employed by NCC.

6 Russell Street, Nelson.

Lot 1 DP 5044

Category A on NCC Heritage list

Category 2 on Heritage NZ list

This is a house owned by our neighbour and which I am very familiar with because I have researched its history for our neighbour and we have helped him with advice for over 20 years on restoring it. I'm also the pro-bono landlord of one half of it.

I submit the category listing is correct but most of the history in the record form completed by the Hamilton based heritage consultant is riddled with errors.

I wish the errors to be corrected in the report before it is made public on NCC records, it needs to be researched by someone more competent.

The following errors or omissions made by the consultant for NCC

- 1) no mention of the first house built on site - photo of the Freeman house is available online in Nelson Museum's website and the Nelson Rating records available at Archives in the Nelson museum record that TG Freeman owned a 6 room house in 1858 which was valued at 240 pounds. It appears that report writer's research failed to look at any Nelson Museum rating records because they are not online and her research was done from Hamilton based solely on one or more photographs.
- 2) No mention of the sale of the former house advertised on 18 October 1888 in the Nelson Evening Mail. Basic searching on Papers Past site would have shown that vital fact if proper research had been done.
- 3) No mention of the rather extraordinary history of the Webster's ownership of the property. Mrs Webster "inherited" the property with the extended Freeman house from her father James Henry of Elsternwick, Victoria, Australia. Mr Henry was from Australia but had lived and worked in Nelson as a builder and he shifted back to Victoria shortly before he died. He still owned the large house at 6 Russell Street built in 1858. In his will filed in Australia there is no mention of that property and remarkably Malcolm Pratt Webster submitted to the Nelson High Court that he was the appointed power of attorney for all James Henry's NZ property including 6 Russell Street despite it not being mentioned in James Henry's will. Remarkably the Nelson High court judge accepted that without any supporting documentation and very quickly Malcolm Pratt Webster 'sold' the house to his wife who took ownership

of the property in her name only. She had the house demolished and built the current house in 1903 and the ownership of the new house or current house was retained by her until her death in 1923. However in March of 1910 the house was advertised for sale for 600 pounds but it apparently did not sell because the Websters remained in the house until their deaths. Mrs Webster left the property to her husband in her will in 1923 and Mr Webster remained in the house until his death in 1929. The house was only in his name for a few years. None of that has been mentioned in the report by the desk based Hamilton researcher.

4) No mention is made of the attempt to sell the house on behalf of Mr Webster's estate by the solicitor for his estate. Research in Papers Past would have revealed that sale advertised on 30 September 1929. The house did not sell.

5) The report writer is confused when she says that a relation by marriage shifted in - that is not correct. The house was left to Mr Webster's sister Mrs Clayden and when the house failed to sell it was occupied by Mr Webster's nephew William Clayden until it finally sold.

It has then changed hands on several occasions but has always remained in residential use even after it was divided into two flats.

6) The report writer has mistakenly stated that the road boundary is marked by a low masonry wall that is topped in part with a decorative metal coping. That is incorrect - if the report writer had actually visited the site instead of just looking a photo in a desk top exercise she would have realised that the concrete wall is high and has decorative metal coping down its entire length although most of it is damaged.

It is unfortunate that so many errors have been made in the report - it is important to get history as correct as possible and lack of rigorous research has failed to produce an accurate report.

I wish for the report to be either corrected or redone by a more competent researcher.

10 Russell Street

Lot 1 DP 3195

NCC File 1971083600

I submit there are basic errors in the report completed by the Hamilton based Heritage Consultancy Services report.

I seek to have those basic errors corrected or a more accurate report completed by a more competent and accurate researcher.

The report writer refers to the original owner of the house as James Kidson - his full name was James Russell Kidson but he was always known and referred to as Russell Kidson.

Errors or omissions made by the report writer

- 1) Date of construction is incorrect - it was built in 1914 by Russell Kidson just prior to when he married his first wife Hannah in April 1914. Plans of the house are held by the current owner so the designer could easily be described.
- 2) architect/designer/builder is stated as JR Kidson with a question mark. There is no need for the question mark, Russell Kidson did build his house after his mother gifted him the land prior to his first marriage.
- 3) the physical description compiled by the report writer is incorrect. It states the house is one and a half storeys - it is not - it was built as a single storey house without any stairs and it was the current owner who put a window in the attic space and installed a stair case inside the house circa 1986 in order to use the attic space as an art studio.
- 4) There are no tripartite casement windows on the ground floor. The original double hung window is visible on the right of the front door but the windows on the left hand side are 1950s four sash push out windows - clearly shown in the photo. It is unbelievable that such an error could be made in the report. The window at the top under the eaves is an original window removed from the side of the house when

french doors were installed. Originally there was no window near the roof and it was only installed in 1986.

5) There is no mention made of the additions to the house, a kitchen was added to the rear of the house meeting the side verandah in 2005/6. The original double hung windows on the side of the house were removed in 1986 and replaced with french doors.

Although the errors in this report are reasonably minor it is unbelievable that errors such as window styles and number of storeys can be made when they are clearly visible in the photo used for a desk top exercise.

What is also of concern is the current owner had no idea of a report being written on his house - like all other heritage property owners he has not received any notification that the property was being assessed, a report had been written and that an incorrect report is now available on NCC's website. The owner is a former long term Nelson City councillor and if he states he was totally unaware (7 October 2023) then there is no doubt that none of the heritage property owners were informed.

I wish to have the errors corrected or else have the report redone by someone who is more accurate and can tell the difference between a house that is single storey and one which is a storey and a half and can tell the difference between the styles of windows.

94 Nile Street part Section 509, Nelson

I submit that the report on this building has major errors and should have a classification of A listing in view of its very early history in Nelson city particularly its links with Matthew Campbell who built the original section of the building in 1857.

I seek to have the report rewritten by a more competent and accurate researcher and the category changed from B to A listing.

This is a building I was commissioned to research and write the history of by former owners in 2009. A copy of my report was placed with the then owners permission in the archive section of Nelson Museum so it was available to the general public. It appears that the Heritage Consultancy Services was not aware of that report/history because as I understand she did the report writing as a desk top exercise from Hamilton without visiting the archives section of Nelson Museum to view documents that are NOT available on line.

I wish to point out the following errors made by Heritage Consultancy Services in the report compiled on this property

- 1) The dates of construction are incorrect. The report writer states it was built c1865 and 1870s. If the report writer had looked at the rating records held in Nelson Museum archives she would have discovered the original cottage section was built by the owner of the land, Matthew Campbell was built in 1857 and occupied by Mrs Ray. Mrs Ray was Matthew Campbell's sister Sarah Ray who emigrated to Nelson in 1851 with her husband Roger Ray, their daughter Elizabeth and Mr Campbell's wife Ann. In 1856 Roger Ray died and Matthew Campbell built the 4 room cottage facing Alton Street for his widowed sister and her two children.
- 2) The second incorrect construction date is for the last extension facing Nile Street that was built onto the 1857 cottage. After the death of Mrs Ray in 1859 and the subsequent marriage of her son Roger who had been living in the cottage, Matthew Campbell sold the property that consisted of the land and the small 4 room cottage to Henry Hounsell. The Nelson city rating records record that Henry Hounsell built the Nile Street fronting section of the house in 1865, the value of the property increased from 180 pounds to 400 pounds. The NCC report writer has presumably made an incorrect guess at the construction date

because she has failed to look at the rating records in Nelson Museum that are not available online.

- 3) The report writer states quite incorrectly in her history of the building that 'Hounsell is said to have built the vernacular cottage fronting Alton Street in c1865 and it appears to have been extended with a 2 storey Italianate wing in the 1870s' Unfortunately the report writer fails to state who said the above - it is woefully incorrect. The original Alton Street cottage was built in 1857 and the addition facing Nile Street was built in 1865 as stated in Nelson rating records.
- 4) The report writer states Henry Hounsell was a grocer but fails to mention he also had a large hardware store and also an ironmongery business. Basic research of the Nelson museum photos or Papers Past would have shown that but it appears that basic research has not been undertaken.
- 5) The report writer has mentioned Mary Gibbs but fails to mention anything of the immense drama regarding her arrival in Nelson in 1877 with her 9 children. Mrs Gibbs and her 9 children were on the Queen Bee which foundered on Farewell Spit and the family was split into two different life boats. Mrs Gibbs, her baby and her two youngest daughters landed quite quickly at Awaroa but the lifeboat with her sons and eldest daughter disappeared and it was not until 12 days later that the passengers in that boat were returned to Nelson after being swept to Durville Island. So Mrs Gibbs was famous in Nelson shortly after her arrival. No mention of that is made in the report by Heritage Consultancy Services.
- 6) In 1905 Mrs Gibbs built a house in Collingwood Street and shifted there with her two unmarried daughters Resa and Nell and her son FG Gibbs. The property at Nile/Alton Street was retained but not sold until 1922 by her son Richard Waine Gibbs who was a bank manager in Wellington. Basic research of Mary Gibbs will available on line would have identified that but it appears that the research writer has not done that research either.
- 7) The house has not always been in private residential use - for most of the last 30 years it has been commercial /office premises before being used by the current owner as luxury accommodation. The report writer is mistaken.
- 8) There is little or no reference to Matthew Campbell's importance in the area. Whilst he is well known in Nelson's history for the establishment of early schools he was a very important part of Alton Street's history - he established a water pipe erected 12 feet above ground to carry water down Alton Street to a power flour mill at the bottom end of Alton Street. This was of critical importance to the population of Nelson - at the time it was the only way of grinding wheat to make flour and then to make bread, essential for Nelson's early population.

29 Bridge Street, Nelson, Part section 1104.

I wish to submit that there are major errors on the report for this property and wish to have the report reassessed by someone who is more thorough and accurate.

This is a property I was commissioned to research and write the history of by former owners, Geoff and Ben Wills who ran a jewellery business from the premises. My report was completed in 2008 and a copy was put in the archives section of the Nelson Museum so it was available for anyone researching the property. Because Heritage Consultancy Services did the report on this property as a desk top exercise from Hamilton it appears that the report writer never visited the archives section of Nelson Museum and my report is not available on line.

The following are errors or omissions in the report commissioned by NCC by Heritage Consultancy Services that I request be corrected

- 1) the land this building is on is not included in the original Tucketts map of Nelson in 1842 because at the time the map was drawn the land did not exist - it was tidal and covered in sea water at high tide. The land was reclaimed between 1842 and 1855. No mention of that is made in the NCC report.
- 2) Thomas Askew built a 4 room wooden dwelling and shop in 1855, that record is available on the NCC rating records held at Nelson Museum but not mentioned by the report writer
- 3) The property was rented to William Matthews who ran a butcher's shop - again information from NCC rating records but not looked at by the report writer.
- 4) From 1864 to 1870 it was occupied by William Henry West, a hairdresser and perfumer who ran his business from the premises. Again no mention by the report writer.
- 5) In 1875 Thomas Askew drowned and the property sold in 1880 as a result of a mortgagee sale of Rubina Askew - Thomas's widow. The report writer has failed to realise that Thomas Askew drowned in 1875 and it was his widow Rubina Askew who was declared bankrupt. A major error by the report writer.
- 6) 1880 it was sold to John Ogilvie who extensively rebuilt the building and he lived in it and ran a coopers business from the premises. No mention of that in the NCC report.
- 7) In 1888 John Ogilvie was declared bankrupt and the property was sold at auction in 1889 for 216 pounds to Mrs Mary Rogers, the wife of a gardener at Langley

Dale in rural Marlborough. Mrs Rogers wanted to live in Nelson, run a business and have accommodation for her children so they could attend Nelson Colleges. No mention of that in the NCC report.

- 8) Mary Rogers ran a confectionary shop from the front of the ground floor and the premises were left to her daughter Mary Ellen Browne who operated a fruit business. The report writer appears to have got the occupations of the mother and daughter confused.
- 9) The property was then inherited by Mary Eleanor Naylor who operated a corsetry and lingerie business from the property - no mention of that in the NCC report.
- 10) The final owner in the family was Marjory Naylor who lived at the premises and ran art classes in part of the bottom storey. No mention of that is made in the NCC report although the art gallery is mentioned.
- 11) The property was then sold to the Wills family - an exclusive Brethren family who operated Wills Jewellers from the premises until they sold the property at the direction of church leaders and the property was purchased by an Ian Wills who was also a jeweller but no relation to the original Wills brothers who operated the original jewellery business. The report writer appears to be confused between two different owners.

At the time of research it was noted by the then Historic Places Trust as being of critical importance because it was the oldest remaining shop in the South Island. No mention of that is made by the report writer which would suggest she has not contacted Heritage New Zealand regarding their rating on the property. That is astounding that such basic research has not been done.

Whilst none of the above are going to make any difference to the heritage rating on NCC heritage register it is important to get Nelson's history correct and when any errors let alone multiple errors are made that they are corrected before such information is available in the public domain.

I have submitted on 9 properties that I am familiar with because I have researched all of them. I am absolutely astounded at the multiplicity of errors in each and every Heritage Consultancy Services report and have not found one report that does NOT contain a large number of errors. That has led me to believe that these 9 reports are probably no different from all others completed by Heritage Consultancy Services and they are simply of such an inaccurate standard that they should all be redone by someone with more rigour and accuracy to produce factual and accurate reports.

I have been informed by NCC (Mithran Golpinath planner at NCC) that all the reports were completed by the author in Hamilton as a desk top exercise and that combined with lack of skill, thoroughness and basic research has resulted in reports that are inaccurate and simply can not be relied on.

In addition I wish to submit that the removal of 3 monuments to early parts of Nelson history is totally unacceptable and should be reversed. These monuments are

- 1) the memorial plaque on a concrete base in Brook Street to mark the Dun Mountain Railway.**
- 2) The memorial plaque at the top of the steps to the sea at the bottom of Richardson Street which marks where the first settlers arrived in 1842**
- 3) The memorial plaque set on a concrete base in Haven Road to mark the exact spot where the first four NZ Company men along with their Maori guide Pito landed - the very first part of the settlement of Nelson.**
- 4) These were all installed by the Historic Places Trust with the Nelson Historical Society many years ago and neither Heritage New Zealand (formerly known as the Historic Places Trust) nor the Nelson Historical Society have been notified of their review nor their subsequent removal from the heritage register by the Hamilton based Heritage Consultancy Services.**

I request that these memorials be returned to the heritage register.

The errors made in the reports show an inadequate amount of accurate research. Not only are there major errors in the history of properties there are also major errors in the descriptions of properties - confusing single storey houses with storey and a half, heights of walls, number of windows, architectural details, morphing of two people into one, getting people of similar names confused and simply getting basic facts wrong. They all need to be redone.

I wish to be heard in person on this submission.

Plan Change 29. Natural Hazard Section DO2.

Submission from Zero Carbon Nelson Tasman

Contact: Jenny Easton

Jennym.easton@gmail.com

We do want to be heard

We have no commercial advantage

20.10.23

Zero Carbon Nelson Tasman is an incorporated society with a broad range of expertise which includes education, environmental and climate science, energy, medicine and business. Collectively we have substantial insight into the problems and solutions for the climate crisis in both mitigation and adaptation.

Plan Change 29 overview

Before assuming that the city can function with thousands of extra people, we would ideally first calculate the carrying capacity of the city and region. However, acknowledging this information gap, and the framework within which the Council is required to work, we support intensification and building more densely in certain areas, not out. We support the strategy of 15-minute communities, and the intensification focused around transport hubs will assist with this process.

DO 10.1.5 We are strong proponents of transport mode shift, and applaud your consideration of this in the Plan Change, including removal of minimum parking requirements.

Requirement of minimal areas of permeable paving: We endorse more permeable paving, and would support all paving on suburban sections to be permeable. We would like to see more consideration of increased tree-covered areas in the urban landscape to add to the shade, cooling and permeability of the urban area.

The remainder of this submission is focused on the Natural Hazards chapter.

Introduction to DO2 Natural Hazards

Councils are being urged by climate scientists to make sure that new housing and infrastructure development minimises harm from the impacts of climate change on the area. This Plan Change takes an enabling approach to development, aligned less with climate precaution and more with the principles of the “enabling” 1991 RMA . Therefore, this submission urges you to write rules from a precautionary perspective that make sure people are not put in harm's way.

This Plan Change could proactively reduce the number of people living in harm's way, in preparation for the Climate Adaptation Act, which we assume will limit development and existing occupation of hazardous areas. The ‘Options and Issues’ paper on community managed relocation, which is out for submissions now and which will form the framework for the Climate Adaptation Act, makes it very clear that the cheapest, least carbon-intensive, most enduring policies for adapting our communities to a changing climate are those that don't put people in harm's way to start with.

The recently released Proposed National Policy Statement for Natural Hazard Decision - Making aims to ensure that the natural hazard risk is included as a matter of control and a matter of discretion for all restricted discretionary and controlled activities, to enable decision-makers to consider natural hazard risk in as many consenting decisions as possible. We can assume that this NPS will soon become operative, and can plan for it now.

Scientists tell us that global warming is going to cause more intensive and frequent storms, and that sea level is going to rise more quickly than it has in the past. This strong scientific consensus should be the basis for a precautionary approach to investment in our future. Short-term, incremental changes too easily lead to maladaptation. We can already see, around Nelson, costly examples of maladaptation: housing being permitted on the Tahunanui slump after reports described the presence of elevated groundwater springs, and housing being built in the Maitai Flood plain. We need a long-term perspective to inform a transformation of this approach.

The legislative and regulatory framework that underpins the Council's work is slow to change, and uncertain in changing political times. Our hope is that the Council can be proactive on this issue by working towards community-led relocation from flood-prone and unstable areas, and so future-proof our communities and the ecosystems that support us.

Climate change is often described as a ‘threat multiplier’: exacerbating and accelerating challenges relating to our health, security, economy, and the natural world, for example. In a similar vein, many nature-based climate adaptation (and mitigation) measures also help to build community and improve resilience to shocks of other kinds. The importance - and co-benefits - of basing your plans for the future on the predicted impacts of climate change on our wellbeing cannot be overstated.

[Note : We have not located a place/file where we could see all the rules for this Chapter, and are making suggestions for rules that may already be included.]

Objective DO2.1

We support this Objective

Policy DO2.1.1 Health and Safety

We are not sure how activities in these areas can be “encouraged to relocate elsewhere”. Ideally there has to be provision to extinguish existing use rights enabling the continued use of a site in a hazard prone area.

We recommend this right is phased out over a given time, depending on the hazard. Perhaps using the system of climate leases.

DO2.1.2 Property and environment

DO2.1.2.i The reasons should include that the natural environment needs protecting.

Methods for policies DO2.1.1 and DO 2.1.2

DO2.1.2.ii Rules also applies to DO2.2.4 # 9 reason

b. The storage of hazardous substances in any zone exposed to natural hazards such as flooding, land slip or liquefaction **should not be permitted**. USTs in liquefaction zones in Christchurch rose up and broken pipes discharged fuel into stormwater. Drums of chemicals, and bins of hazardous waste in flood zones will be mobilised by other debris as happened in Hawkes Bay, and discharge their contents into the flood water.

DO2.1.2.iii If seismic amplification is going to cause liquefaction we do not know whether the Building Act is sufficient, as it is enabling, rather than proactive.

For the most efficient low carbon future we need to ensure we are **not permitting development in areas that are going to be subjected to liquefaction when the Alpine Fault ruptures. (75 % chance of M8 in next 50 years)**

DO2.1.2.vi

The development of minimum floor levels is a very short term way of reacting to a serious long term issue. All the existing buildings and infrastructure will remain around the raised new builds and this is not conducive to public health, care of vulnerable people or level of service council will need to provide, and increases the probability of ratepayers having to bail out uninsured and/or flooded homes.

There could be a difference in response depending on whether the flood is saltwater or fresh, as sea level rise brings with it rising groundwater table, associated poor drainage and salt water intrusion into the freshwater aquifers. Salt water corrodes metal and concrete, kills vegetation, and freshwater will contain silt, mud, debris and sewage.

The frequency of the floods will be different, with sea level rise bringing a predictable increase in the frequency of inundation floods, while the frequency of river flooding will increase, but in not such a predictable way.

Houses are built to last at least 50 years (Building Act), and hopefully and sensibly much longer, so it is very short sighted to build in areas that are going to be flooded in the next 50-100 years. Council has mapped this area, and should be responsible to ensure we are not putting more people in harm's way. The council services; 3 waters, power, roads will also be affected by sea level rise.

Flood damaged buildings and contents are disposed of in the landfill, taking up valuable space and generating methane.

We recommend that new builds are not permitted in inundation and flood hazard zones, and if this isn't legally possible then they should be relocatable as well as have raised floor levels.

OBJECTIVE DO2.2 Natural hazard in all Residential zones.

Policy DO2.2.2 Flood hazard Identifying the AEP

It is not clear whether the **frequency of the 1% AEP** is included in this information. The 1% AEP is the extent of the last 100 yr flood, but science tells us the frequency of this is going to increase, and this has been calculated for sea level rise. When the SLR is 40-60 cm the flooding to that extent will be annually.

Presumably it has, or can be, also calculated for river flooding.

We recommend that it is a method in DO2.2.2 ii with suitable rules.

Policy DO2.2.4 Flood Hazard: Subdivision, use and development in flood areas

Reason#6 states building platforms are not located within land identified in the High Flood hazard, Floodways or Flood paths.

Reason #7 then contradicts this and says the design of buildings and structures provide resilience against the flood hazard.

Policy DO2.2.5 Flood hazard: buildings and activities

This policy follows reason #7, and we recommend it is deleted or amended to follow reason #6. We shouldn't be putting more people in harm's way.

Method DO2.2.5.iv

We recommend that Buildings to be used by vulnerable people should be prohibited from being built in flood hazard overlays.

Reason: We want all people to have safe and secure homes and not have to deal with the increasing frequency of flood waters surrounding them. We need to consider the volunteers and NGOs administering the wrap-around services provided to some of these residents, and not add the burden of dealing with floods and areas of slow-to-drain, low-lying water around the buildings. It is not fair to locate any housing, particularly social housing where we know this is going to happen at an increased frequency over the decades.

Policy DO2.2.6

3.and 4. Need to have a time frame included, and include considering the cost of final removal.

Policy DO2.2.7 Flood hazard : activities and development

The Rules need to include the responsibility of minimising waste to landfill after flooding.

Policy DO2.2.8 Flood hazard: redevelopment

We do not support redevelopment in flood hazard area.

Reason

We need to reduce carbon emissions, and most construction in flood prone areas is short term, wasting money as well as increasing carbon emissions. Particularly need to discourage concrete and steel which have high carbon emissions.

DO2.2.8.i

This reason needs to include that any redevelopment needs to comply with the Emission Reduction Plan.

DO2.2.8.ii

These rules need to include that any redevelopment must comply with the Emission Reduction Plan.

DO2.2.9 Flood Hazard: Adverse effects

DO2.2.2.10 High Flood Hazard, floodways and flood paths: subdivision, use and development

Both of these policies **should not be permitting more development in flood prone areas**. The basic premise should be: "Don't put more people in harm's way".

By adding more development into the flood prone areas you are making community-led relocation harder, the adverse effects of floods worse (more hard surfaces), endangering those in the downstream areas, and making it harder to rescue those within these zones from the increasingly more frequent and intense floods .

DO2.2.11 Fault Deformation Overlay: subdivision, use and development

DO2.2.9.ii (presumably this is a typo and it should be DO2.2.11.ii)

The rules should include that the location of any residential development must be a certain distance back from the edge of this overlay.

Reason: Relying on Geotech reports is expensive, uncertain, and gives no guarantee of stability over time.

We acknowledge that earthquakes are not going to increase with climate change the way heavy rainfall is going to increase slips and slumps on unstable slopes. So if geotech reports are going to continue for fault deformation then the rules should include that a copy of this geotech report paid for by the landowner, is made available to the council to add to their knowledge, and the Geotech is suitably qualified.

DO2.2.12 Fault Awareness Overlay and

DO2.2.13 Fault Hazard : setback from fault zone

Again, the best outcome is to keep people out of harm's way, that is to have a rule that requires development to be a set distance back from this overlay and fault zone

If however you can't include these rules which give the best outcome, then the rules should include that a copy of this geotech report paid for by the landowner, is made available to the council to add to their knowledge.

DO2.2.14 Liquefaction hazard: subdivision , use and development

DO2.2.14.ii

Rules should include prohibition of Underground storage tanks or other hazardous substances stored underground.

Reason: these structures rose up in the Christchurch earthquake and the pipes ruptured caused their contents to be discharged.

DO2.2.16 Slope instability risk: subdivision and residential development in Slope Instability Area 1.

DO2.2.17 Slope instability Areas 2 and 3, and debris run out area: subdivision and residential development.

It is not clear from the maps exactly where these different Areas are. They all have unstable slopes in common and our recommendation therefore applies to all of them.

We do not agree to permitting development based on a suitable geotech report.

Reason: they cost time and money and do not provide certainty.

We recommend instead: That development is only permitted a certain distance setback from the slope. There are formulae for this setback distance and we recommend an expert panel decides what this should be for each area.

Reason: to keep people out of harm's way, including those living below.

Again, it would be preferable to remove some of the existing use rights from the most unstable areas.

Reason: The severity and frequency of extreme weather events will increase over time, and more heavy rainfall will create more slips and slumps..

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Sub No: S325

NDOCS-539570224-16496

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Full Name: <i>Ken Clapcott</i> Address: [REDACTED] Telephone: [REDACTED] Email: <i>ken.clapcott@gmail.com</i>
--	---

- ☒ I could 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 *in stoke only*

1. the creation of a High Density Residential Zone (HDZ), that has a max height greater than 12 m, as it is not mandated under NPS-UD 2020
2. the loss of the existing protection for sunlight to all properties, because it is 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 that at least 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 **REQUEST** that Council appoints an independent Panel to hear the Submissions; and gives a further Notice extending the Closing Date for Submissions

I **ACKNOWLEDGE** that I have found it extremely difficult to digest the total effect of the proposed PC 29 and its supporting documentation of over 2,000 pages,

Other comments or concerns I have about Plan Change 29

Support Medium & High Residential Zoning in Nelson, & medium residential zoning in Stoke.
However believe the associated rules, especially in relation to sunlight angles & parking should be revisited. Christchurch medium density rules seem more appropriate.

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

NCC are on the right track. Use Christchurch as a case study of what's working & what's not. They are 10+ yrs ahead of housing intensification due to ~~earthquake~~ earthquake rebuild.

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

Ken Clapcott
.....

Submitter

15 Oct 23
.....

Date

NB: TO BE DELIVERED TO NCC OR SENT TO environmental.planning@ncc.govt.nz by 4.00 pm

Tuesday 19th September

Online submission

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

Submitter No.	S326
Submitter Name	Peter Wastney
Submitter first name	Peter
Submitter surname	Wastney
Submitter is contact	Yes
Email	peter.sue.wastney@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Heritage	Heritage schedule	Oppose in part		The assessment to add , or to remove Buildings from the Heritage Register has been made without any consultation with the owners of the properties. Their agreement must be paramount to any decision prior to inclusion in the Plan. In particular, the intrinsic character of the building must be considered, as well as the established heritage value in any decision, as this makes up the character of our City. We have lost too many Buildings of Character, that have been replaced by modern edifices of no character, and once lost, they are gone forever.



I disagree with the following buildings being deleted from heritage appendix appendix 3l.

- 23 Allan Street, Nelson Although the building has a typical rather than notable history and is an attractive character home rather than a significant historic heritage resource. Is not considered grounds for removal.

- 12 Bridge Street, Nelson. I do not think that 44 Bridge Street, Nelson "Research to date has failed to establish the early ownership and construction history of the building, which means heritage significance cannot be substantiated" is a valid reason for removal.

- 44 Bridge Street, Nelson. I do not consider that " Part of Inner City Area historic character precinct. Age, style, design and history is of modest heritage value" is valid reason for removal.

- 95-97 Bridge Street, Nelson. I do not consider that "Group significance / contribution to streetscape. Part of Inner City Area historic character precinct. Age, style, design and history is of modest heritage value" is valid reason for removal.

- 111-113 Bridge Street, Nelson. I do not consider that "Date of construction and early use in question, façade has been stuccoed [1970] and a new veranda erected [2006]. Group significance / contribution to streetscape. Part of Inner City Area historic character precinct. Age, style, design and history is noted but of modest heritage value" is valid reason for removal.

- 118-120 Bridge Street, Nelson. I do not consider that "Part of Inner City Area historic character precinct. Assessment statement reports that 'very little is known' of the building's early history and use. Also states that exterior is 'rather unremarkable'. 'High' local significance and rarity in view of age is not supported by assessment statement." Is valid reason for removal.

- Dun Mountain Railway Memorial, road reserve opposite 130 Brook Street. "Concrete plinth with bronze plaque mounted on west face. A modern memorial to the historic Dun Mountain Railway. The memorial identifies a historic site but does not have intrinsic heritage significance."

This is a nonsense. Because what they commemorate is of historical value.

Are Historical Places Trust venues treated separately to Historical Buildings. What is the case for the Early Settlers memorial erected recently by the Council adjacent the Coastguard building on Wakefield Quay?

- 17 Fifeshire Crescent, Nelson. I do not agree that "Highly modified Edwardian square plan villa. May have been built in c.1905 by Margaret and Abraham Laird, a retired engineer. The house was available for rent in 1906, with enquiries to the Lairds in Russell Street. By the time Margaret died in 1924 it appears the couple were living in the house. Alterations and additions, including the first floor addition in 1998, have significantly compromised the authenticity of the building." Is valid reason for removal.

- 12, 13 and 19 Fountain Place, Nelson. All these are noted as Insufficient evidence to support historic heritage significance. Property located within Fountain Place historic character area. I do not consider this valid reason for removal.

- 87 Grove Street, Nelson. This is typical of our early Hotels, and although no longer a hotel, has character from early days, through the days of the 6 O'clock swill, down to a modern restaurant, and should be worthy of preservation status because of this.

- 80 Hardy Street, Nelson. Former United Friendly Societies' (UFS) Dispensary, opened 31 December 1928. There is insufficient evidence at this time to support significant historic heritage values. Inclusion within the CBD historic area, as a recognised historic character building

recognised historic character building with both Hardy Street and Rutherford Street elevations, provides the appropriate level of recognition and protection. Surely this signifies it is worthwhile retaining.

- 84 Hardy Street, Nelson. Interwar commercial classical style building with suspended veranda and modern shopfront. There is insufficient evidence at this time to support significant historic heritage values. Inclusion within the CBD historic area, as a recognised historic character building with both Hardy Street and Rutherford Street elevations, provides the appropriate level of recognition and protection. Surely this signifies that it is worth retention.

- 253-257 Hardy Street, Nelson. Two-storeyed commercial building, likely erected in 1883 by Benjamin Allen, who then sold the property to tailor William Short at the end of that year. Changes to fenestration, removal of quoins, addition of veranda and modernisation of shop fronts have all undermined historic authenticity of the façade. Contributes to historic character of Hardy Street. Surely this signifies it is worthwhile retaining.

- 258 Hardy Street, Nelson. First floor façade and cast iron veranda posts are notable features. Research suggests there has been a building on this site since 1863/64 – potential archaeological significance. Veranda reinstated 1978 [NCC property files]. Possible that first floor façade dates to 19th C, however DP 1791, dated September 1927, notes that HF West's building was then in the course of demolition. The building does not appear to merit a 'B' ranking. Inclusion within the CBD heritage precinct provides the appropriate level of recognition and protection. Surely this signifies that it is worth retention.

- 264-268 Hardy Street, Nelson. Former George Fleming and Sons' 'London House'. Business established by George Fleming in 1863, renamed G Fleming and Sons in 1891, the year in which Fleming died. Business

offered undertaking, cabinetmaking, upholstery, furniture making and importing. Three colonial buildings given 'modern', unified façade treatment in the interwar period. While the property is a historic site and has been associated with the commercial use and development of Hardy Street since 1863 the building as it stands has insufficient authenticity to warrant scheduling. Inclusion within the CBD historic area, as a recognised historic character building with both Hardy Street and Hope Street elevations, provides the appropriate level of recognition and protection. Surely this signifies that it is worth retention.

- 280 Hardy Street, Nelson. Colonial vernacular building with interwar façade. May have been built for John Snook Anstice, baker, in c.1864. Designer/builder unknown. Anstice's second wife opened 'St Albans House' drapery and millinery in the adjacent shop (274-278 Hardy Street) in 1891; she had previously occupied the former bakery. The Helping Hand Shop, whose profits were given to the Red Cross Fund, opened in the building in November 1915; it appears to have operated until 1921. There is insufficient evidence at this time to support significant historic heritage values. Inclusion within the CBD historic area, as a historic character building, provides the appropriate level of recognition and protection. Surely this signifies that it is worth retention.

- 326 Hardy Street, Nelson. I do not consider that "English Domestic Revival. Brick, timber board and batten and stucco cladding, corrugated steel roofing. Former Haggitt residence, c. 1925? Research and assessment does not support a level of significance that merits a 'B' ranking on the NRMP. Attractive upper-middle class dwelling that is now part of a tertiary education campus." Is sufficient reason for removal.

- 10, 20, 24, 26, 28, 32, 34 and 36

Hastings Street, Nelson. These are either Streetscape character contribution, or Interwar California bungalow, c.1925? Poss. residence of Austin Hitchcock, plasterer. Basement garage conversion 1972. The dwelling is a typical, rather than notable, example of its age and style. I do not consider these are sufficient reasons for removal.

- 89 Haven Road, Nelson. I do not consider that" Highly modified mid-Victorian dwelling. Section 67 was awarded by crown grant to JS Mill in 1854. The property was transferred to David Johnston in 1863 but not developed by him until he returned to Nelson after a period of working for the Customs service elsewhere. Johnston (1819-1900) was appointed Collector of Customs for the Port of Nelson in March 1868, having previously held the same role at Greymouth. David and Amelia (died 1887) had a family of twelve children, seven of whom survived their parents. The Johnstons lived in Waimea Street upon their return to Nelson and appear to have built the Haven Road house in c.1874. The dwelling has been highly modified and now has insufficient authenticity to merit scheduling on the district plan." Is sufficient reason for removal.

- Nelson Haven 1841 landing memorial, 176 Haven Road. Concrete plinth with metal plaque mounted on south face. A modern memorial (installed 1965) to an historic event. The memorial identifies a historic site but does not have intrinsic heritage significance. This is a nonsense. Because what they commemorate is of historical value. Are Historical Places Trust venues treated separately to Historical Buildings. What is the case for the Early Settlers memorial erected recently by the Council adjacent the Coastguard building on Wakefield Quay?

- 205 Haven Road, Nelson. I do not consider that" Largely reconstructed mid-Victorian cottage. Section 51 was awarded by crown grant to John

Gibson in 1851. Gibson erected a two-room cottage on the site, which was no longer extant by the mid-1860s. John Henry Reardon, the second husband of Gibson's daughter Mary, took possession of the property in 1868; a new cottage was built in that year. In 1872 the Reardons left Nelson to farm sheep on Gibson's Island in Pelorus Sound. The property has passed through a number of hands since that time; it remains in private residential use. The dwelling has a typical, but not significant, history and has insufficient authenticity to merit scheduling." Is valid reason for removal.

- Smith memorial, Maitai Valley Road, Nelson [near Smith's Ford]. This is a grave headstone, and should be treated as all other headstones.

- 140 Nile Street, Nelson. I do not consider that" It appears that the house was originally a match with 142 Nile Street; the latter retains a much higher level of authenticity. George Slatter, a carpenter, immigrated from England with his wife Sarah and five children in 1849. He was awarded by crown grant section 409 in Nile Street in 1857 and died at his residence in Nile Street East two years later. After Sarah's death in 1889 the Nile Street property passed to her son George Henry Slatter of Motueka, who in turn transferred the subject lot to James McEachen, a newspaper printer, in 1890. James (c.1849-1923) McEachen had married George and Sarah Slatter's daughter Agnes (c.1848-1932) in 1873; the couple had four children and took up residence in Nile Street East in c. 1894; they had previously resided in Alton Street. The property was in possession of the Slatter/McEachen family until 1929. The dwelling has insufficient authenticity to merit scheduling." Is sufficient reason for removal.

- 9 Rentone Street, Nelson. I do not consider that" c.1882-83 + early/mid-20th additions. Highly modified cottage, likely built for Samuel and

cottage, likely built for Samuel and Eliza Hearth. IGA grocery store in mid-20th century additions from 1956 until 1994. The dwelling lacks sufficient integrity to merit scheduling on the RMP." Is sufficient reason for removal.

- 2 Richmond Avenue, Nelson. I do not consider that "Rusticated weatherboard cladding and decramastic tile roof [c. 1970?]. NRMP Appendix 1 gives 1920 date of construction; HNZPT research to date suggests c.1911. Highly modified dwelling with modest historic values" is sufficient reason for removal.

- Wakefield 1841 landing stone, Rocks Road [opp Richardson Street], Nelson. Concrete plinth with stone plaque mounted on roadside (east) face. A modern memorial to an historic event. Recommendation: Delete from Appendix 1 built heritage schedule. To be noted within assessment of Rocks Road & Wakefield Quay chain fence and seawall . Because what this commemorates is of historical value. Are Historical Places Trust venues treated separately to Historical Buildings. What is the case for the Early Settlers memorial erected recently by the Council adjacent the Coastguard building on Wakefield Quay?

- 11, 15, plus some other properties on Russell Street, Nelson. Typically, these are c.1869? house's built on Section 50 Native Reserve, which was subdivided in 1925 on behalf of the Native Trustee. Reportedly the former home of Henry and Emma Goddard, who married in 1865. Henry was a carpenter who died in 1874. For the first half of the 20th century at least the cottage was the home of James and Minnie Williams; James was a mariner. The building is difficult to view from the public domain and other structures have been erected on the site. While it may date to c.1869 the cottage appears to have limited architectural values and typical historic ones. Property is likely an archaeological site per the

HNZPTA. What is the protection offered by Inclusion within the Russell Street heritage precinct provides the appropriate level of recognition and protection? Should they also be included to recognize heritage value?

- 52 Rutherford Street, Nelson. The former McGregor dwelling [c.1859] was in commercial use for much of the 20th century before being converted back to residential use in 2016. Major 2016 alterations to the building, especially its façade, have significantly undermined its historic authenticity. New fenestration and the 'clear-lite' veranda roofing detract from the integrity of the façade and the building's mid-19th century origins. despite its age, history and location, this building does not merit scheduling on the NRMP due to the substantial alterations made to it in 2016. I disagree, as the façade is largely in keeping with the original.
- 109 Rutherford Street, Nelson. Modest historic and architectural values. 'High' local significance is not supported by the heritage assessment statement. Primary value is for its contribution to the streetscape at the south-east intersection of Hardy and Rutherford Streets. Recommendation: Delete from Appendix 1. Review boundary of Inner City Heritage Precinct and extend to include 109 Rutherford, assuming this building is not already included in the area..I disagree that this is sufficient reason for removal.
- 232 Trafalgar Street, Nelson. I do not agree that" Group significance / contribution to streetscape. Part of Inner City Area historic character precinct. Age, style, design and history is of modest heritage value. 'High' local significance not supported by assessment statement." Is sufficient reason for removal.
- Nelson Airport, Dakota Drive/Trent Drive, Nelson. Reported as REMOVED 1997 & DEMOLISHED 2001. Surely these are the Aero Club and Rescue

Helicopter Builings. They have not been demolished, and should not be removed.

- 375 Wakefield Quay, Nelson. I do not consider that" Site visit and real estate advertising has enabled a determination that the extent of modifications to the dwelling is considerable. New aluminium doors and window frames and plaster cladding has been undertaken. The building, while still a notable contributor to the historic character of Wakefield Quay, is not considered to have sufficient historic heritage significance to merit listing." Is sufficient reason for removal.

- 411 Wakefield Quay, Nelson. I do not consider that" Site visit has enabled a determination that the extent of modifications to the dwelling is considerable. The entrance porch and balcony above are no longer original and roughcast stucco cladding has been undertaken. The building, while still a notable contributor to the historic character of Wakefield Quay, is not considered to have sufficient historic heritage significance to merit listing." Is sufficient reason for removal.

- The Buildings listed under " Proposed items assessed but not recommended for scheduling:" should be retained , at least until sufficient grounds for removal are found from further assessment.

Online submission

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

Submitter No.	S327
Submitter Name	Gillian Starling
Submitter first name	Gillian
Submitter middle name	Fiona
Submitter surname	Starling
Submitter is contact	Yes
Email	theframingrooms@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	The Plan Change Process	Oppose	1. The submission process is complicated. This means that only a small number of people will return a form compared to the numbers of people who feel strongly about the Plan Change. Having one person in the role of 'friend of the submitter' is inadequate. 2. The process of filling in documentation is alienating to a lot of people. 3. For feedback and consultation to be really meaningful the process needs to be equitable and accessible. Other formats should be available. For example, people should be able to take part by giving their verbal feedback. There should be ways of giving a submission that are not reliant on someone's literacy skills. There should be access to giving feedback in people's own neighbourhoods through community meetings and this should count in the submission results. It would be interesting to have an actual 3D model of the town and the neighbourhoods for people to use for suggestions.	[Request] the council to make the process of feedback about the Plan Change to be more accessible for people. I believe that the submission forms the council receive will only tell part of the story. Not everyone has a voice.

Residential Zones	Medium Density Residential Zone	Oppose	1. Mount St is on a steep hill that is prone to erosion. The land is not suitable for the building of multiple units on a single section. This will cause significant issues for the properties on the lower sections of the hill, namely Konini St, Locking St and Renwick Place. There have been slips due to flood events and the water run off down the hill during normal rainy days is significant. 2. The road along Mount St and Konini St is already a challenge to drive on and to walk on. Many sections are so narrow that only one car can pass through at a time. The number of cars parked on the side of the road and on the pavements has increased significantly over the time I have lived here (almost 20 years). This means that when I walk into town I am often forced to walk in the road. Anyone with young children in pushchairs and people with poor mobility must struggle to get to town without driving. When the town is only 15 minutes walk away this is a crazy situation. This issue shows that increasing the number of people living on the street will have significant problems for current and future residents. 3. Mount St is a special place to live because of the amount of green space around the houses. Many gardens have been established over the last hundred years. The number of large native trees support many species of native birds which is a real positive for the city. I believe it is vital to retain these areas of green space that are close to the city, both for our wildlife, for the environment and for the positive mental health of the residents.	I live on Mount St which has been classified as a Medium Density Zone. I want the council to retain the current zoning for Mount St because the area cannot support an increase in population growth. I request that no decision on changing the zoning is made without experts assessing the Mount St area and making recommendations based on the hill's geography and challenges.
----------------------	--	--------	---	---

Inner City and City Fringe Zones	Inner City Zone	Oppose in part	Much of Nelson looks shabby. Investment in buildings has been poor and there is a general trend of the bigger businesses moving out of the city centre (most recently to the Nelson Junction site). Buildings sit empty and land is left undeveloped. To attract visitors from around NZ and internationally we need to beautify the city. There needs to be an imaginative and adventurous plan formed by architects and designers that will really put Nelson on the map. Too much control for the town has been in the hands of a small number of commercial property owners and it has left Nelson looking tired and unloved. Apartments to increase the number of people living in town is a good idea but more should be made of the empty properties. Can the council work more closely with existing property owners to make use of empty buildings? Can empty areas between buildings be used (eg: facing Wakatu Square car park from Bridge St - next to Westpac bank)? Can accommodation options be built above current commercial buildings?	I request council takes a design led approach to increasing intensification in the inner city area. There needs to be a more cohesive plan and involvement of architects in this process. I do not agree with the re-zoning of the inner city heritage project. More needs to be done to protect Nelson's more historical buildings and the views out to the hills and the sea.
--	--------------------	----------------	--	--

Residential Zones	High Density Residential Zone	Oppose	1. The 'broad brush' approach to Plan Change 29 has not considered the impact on the lives of current residents in the neighbourhoods where high density zones are recommended. It is not reasonable to expect people to give up their privacy and sunlight due to an apartment being built on the section next door. 2. It is unreasonable for the council to give the mandate for redevelopment entirely to commercial developers. This can result in poorly designed properties that do not fit into older neighbourhoods. There needs to be more stringent regulations for developers to adhere to. 3. The level of growth that High Density Zones allow for, is often not feasible in the earmarked neighbourhoods. Infrastructure is often inadequate, particularly with regard to water, sewage and roading. 4. The reduction in green areas around properties is very negative from an environmental perspective and with regard to people's health. I feel that the ability for developers to build 3 units on a section without needing consent is a backward step. 5. I don't believe that the estimation of how fast our population will grow is accurate. Therefore the rationale behind the necessity of building high density housing in the suburbs is questionable.	I oppose all High Density Zones in Nelson's suburban neighbourhoods. I ask that the council revisit the statistics that have been used to justify the level of intensification planned for. I ask the council to use the Statistics NZ medium projection forecasts instead.
----------------------	--	--------	---	--

Online submission

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

Submitter No.	S328
Submitter Name	Hanni Kaspar
Submitter first name	Hanni
Submitter surname	Kaspar
Submitter is contact	Yes
Email	kaspar.arapiki@xtra.co.nz
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Amend	Much of the planned high density area is built over with existing free standing 1 and 2 storey houses. A six storey neighbour will shade these properties immensely.	reduce height from 19.5m to 11m+1m
Residential Zones	High Density Residential Zone	Amend	It is sunlight, not daylight, which seems to be good for physical and mental health. It doesn't make sense to build so densely that lack of enough direct sunlight into our living spaces leads to mood problems.	Change daylight admission to sunlight admission and update recession planes accordingly. Ditto for medium density and general residential zones.
Residential Zones	High Density Residential Zone	Amend	Perimeter developments allow for more sunlight admission into the buildings. Amalgamating the yards into a largish piece of land gives the residents a sense of space (instead of staring at a wall 4m away) and the children a place to play right next to where they live.	Promote townhouse perimeter developments over infill building. Ditto for medium density zone.

Residential Zones	High Density Residential Zone	Amend	The plan changes "Housing" aim to intensify housing in large measure by infill building, turning gardens into additional living spaces. Where are the children to get rid of all their energy? Recreational open spaces are often too far away for a quick walk to the playground for 40 minutes of jumping, running and playing with other kids.	Provide children's playgrounds in densely populated residential zones, within easy walking distance to the places children are living. Ditto for medium density and general residential zones.
Inner City and City Fringe Zones	Inner City Zone	Amend	The only rule concerning light admission is addressing daylight instead of sunlight, and only at the boundaries to another zone. Buildings adjacent to streets, roads and parking lots are likely to get sunlight. But what about buildings inside a city block? The rules allow residential use above the ground floor in the City Centre. Spaces lit by sunlight are more likely to be resided in than dark spaces.	Add rules for sunlight admission within city blocks. Ditto for City Fringe.
Residential Zones	Other	Amend	Different planners have told me that experience with intensification has shown that only about 15% of possible intensification is actually taking place. I am concerned that there will be a 3 or 6 storey building here and there sticking out of a sea of single storey houses, making Nelson look disjointed. Better to consistently intensify a smaller area before moving on to the next block. Also, many home owners fear losing sun and privacy to a considerably higher building as neighbour. Opening smaller areas for intensification reduces the number of people suffering anxieties over intensification which might never happen on a site adjacent to theirs.	Concerning residential intensification zones currently containing mostly single storey houses: release city blocks for intensification instead of large zones.

Inner City and City Fringe Zones	Inner City Zone	Amend	With a multi-activity parking house a couple of the 3 existing open air parking squares could be used for more constructive purposes. Promoting active transport entails offering safe, secure and preferably dry parking of the active transport devices.	Allow for innovative and secure public parking solutions for cars, bikes, scooters etc.
Residential Zones	General Residential Zone	Amend	Stepped housing is a high density form of building. The foundations of housing stepped along a slope can be engineered to stabilise the slope. Stepped housing units on a slope interfere far less with sunlight and views than free standing 3 storey-ed buildings positioned close to each other.	On hills allow for terraced housing units (not townhouses), stepping up/down the slope. Ditto for medium density residential zone where applicable.

Documents included with submission

Document name	Plan Change 29 - Housing: Comments in Addition to the Completed Submission form
File	planchange29housings328additionalcomments.docx
Description	additional comment not fitting easily into the submission template

PLAN CHANGE 29 – HOUSING

COMMENTS IN ADDITION TO THE COMPLETED SUBMISSION FORM

Submitter's name: Hanni Kaspar

Submitter number: S328

Impact on submitter: negligible

Reason for submission: former draughtswoman with continued interest in quality housing

Grown up in: Switzerland

Lived in Nelson for: 43 years

How I see Nelson's situation

Nelson is short of affordable housing.

Nelson is a small territorial area.

Nelson is squeezed in between the ocean, with potentially rising sea levels, and slip prone hills.

Two water ways are flowing through Nelson plus a few creeks run through the Stoke area, all with associated flood risks.

BRANZ puts Nelson into earthquake risk zone 2.

Nelson is growing into the hills north and south of the city and around Stoke.

Nelson's city centre, enclosed by the "ringroad", doesn't seem to have much residential activity going on.

Nelson boasts 3 ground level, open air parking lots in the city centre, each enclosed by perimeter buildings surrounding a whole city block.

The area of lower Vanguard and St Vincent Streets, in prime location to the city centre, is mostly commercial and light industrial.

Low availability of land, multiple hazards and topographical features often result in higher building costs in Nelson than in other places. This makes new low cost housing a difficult target to achieve.

My understanding of the regulatory requirements:

Nelson is a tier 2 city: the introduction of the Medium Density Residential Standards is not mandatory.

Policy 5 applies to tier 2&3 local authorities. This, in rather general terms, requires enabling building high and dense to accommodate projected population growth short, medium and long-term – long term being 30 years.

My misgivings about some of the proposals of Plan Change 29 – Housing

Is a 30 year time frame necessary for town planning? In today's fast living and fast changing world extrapolating population growth from past experience into the future might paint a completely wrong picture. Do we want to end up with many empty houses in 30 years as there seem to be empty shops now?

Housing intensification can be done by building out, building up, building closer, and using existing buildings better. Nelson doesn't have much easy land to grow out. By voluntarily adopting the government's Medium Density Residential Standards, the Council proposes a combination of building closer and higher, mostly by infill construction in existing housing areas, potentially creating a jumble of old single storey houses and new multi-story dwellings, in the shadows of which nobody wants to live. This could lead to areas looking like slums.

Intensification seems to be more important than the quality of living in the denser built areas. The objectives and policies in the proposed plan change sound promising. Unfortunately, in my view the rules won't fulfil these promises.

Changing many planning rules considerably for a large part of Nelson from one day to the next instead of introducing the changes over time leaves no room to identify and promptly correct unintended consequences.

What I am wondering

Instead of pushing for intensification could a push for urban renewal, a more holistic approach, be launched? Within the overarching urban renewal, housing intensification can be incorporated in a comprehensive way. The process to achieve urban renewal would be long and slow, with multiple agencies and stakeholders involved, including the community. This would allow fine-tuning the plan and adapting it to changing circumstances and expectations from the community.

As mentioned above, greenfield – or rather greenhill – development is taking place on the outskirts of Nelson, close enough for active transport into the city centre. The houses being built are all good sized free standing single units. Wouldn't it make sense to set aside at least part (if not all) of the newly opened up land for comprehensive higher density housing? If the placing and design parameters of the denser housing are clearly shown early in the development, people wanting to build stand-alone one-off homes can plan and design to avoid negative environmental impact from the denser housing.

Online submission

Received: 31/10/2023
NDOCS-539570224-18384

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

Submitter No.	S329
Submitter Name	Inea Yoon
Submitter first name	Inea
Submitter surname	Yoon
Submitter is contact	Yes
Email	ineayoon@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose		I agree with intensification but not as stated in PC29 for the reasons below. I agree with William Samual's ideas (link is at the end of my detailed 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.

13) Heritage Key Points

- Many of Nelson's heritage and character buildings contribute to Nelson's point of difference.

Visitors and residents are drawn to the built character of Nelson. Nelson has a high proportion of old buildings both commercial and residential that are well maintained by their owners.

- PPC29 facilitates the loss of the non-renewable heritage resources with economic, social and environmental consequences to Nelson.
- A significant number of listed heritage properties, the Inner City Heritage Precinct and the Wakefield Quav Heritage Precinct are deleted

from the current register in the Nelson. My home at 50 Wellington Street was built in 1910 – 113 years ago and has retained much of the original character look but is not on the register at all. Resource Management Plan as part of PPC29.

- Listings assessment has been inadequate.

The analysis (2015 methodology) that informs this

does not meet professional best practice, and in some cases information is incorrect.

- PPC29 does not address thematic gaps in the historic built environment that should be identified

and be part of any heritage assessment, see Thematic Historic Overview of Nelson City 2011 – Dr. John Wilson: Draft-Nelson-Plan-Technical-Report-FINAL-DRAFT-thematic-historical-overview-of-nelson-city-OCT2011.pdf

- Nelson has a high proportion of heritage and character buildings, clusters of which merit further

investigation for precinct listing and specific rules and policies e.g. height controls on adjacent buildings.

- PPC29 does not include all Heritage New Zealand (HNZ) listed places.

- PPC29 is not in alignment with Te Ara Whakatū, Council's Spatial Plan.

- The Plan does not reference Māori and archaeological heritage.

- There is no justification for the removal of the Church Hill view shaft.

- Currently only the heritage listings are made public, not the assessment information and inventory.

- Support removal of category C and proposal to have a two tier ranking system.

- Support the proposed Richmond heritage precinct.

Request:

Before any Plan Change is finalised:

- An independent updated assessment of Nelson's heritage resources by a qualified conservation architect following best industry practice including:

- o Replacing the term significance with a list of individual heritage values.

- o Ensuring all inventory information is correct to support listings, and errors corrected

- o Including information on how values relate to historic themes

- An independent review of all listings

proposed to be deleted.

- An independent study of the effects of this proposal on the character and heritage buildings of Nelson that informs changes to proposed rules and policies (on and off site height, boundary set back, daylight angles).
- List all Heritage New Zealand properties.
- Retain the Inner-City Heritage Precinct, update the design guide. Retain the Wakefield Quay Heritage Precinct, update design guide. Retain the Church Hill View Shaft.
- Publish the heritage assessment information to allow owners to review, corrections to be made.
- Reassess the Fairfield/Nelson South area as a character precinct with additional protections (addressing requests in submissions to the Draft Nelson Plan 2020)
- If an independent assessment concludes that other heritage precincts should be established revise PPC29 to include policies and rules to do so.
- Ensure policies and rules protect heritage values by seeking independent advice from a qualified and experienced conservation architect as well as a social impact professional.
- Appoint a qualified and experienced conservation architect to review consent applications for heritage listed buildings/a qualified and experienced archaeologist to evaluate consent applications relating to protected sites, as this expertise is not available in-house.

14) Objections to the zoning at 4 Examiner Street, Nelson (inner city fringe); in particular, the allowance of an 8 story complex built by Kainga Ora for all the reasons mentioned above. Medium density at the most, would be better but even this will impact on sun and quality of life and wellbeing to the neighbours.

15) Objections to the medium density zoning of the area surrounding our home on Wellington Street, Mount Street, Konini Street etc. This should remain low density housing for the steep terrain and dangerous outcomes should PC 29 come through.

Plesae see Alison and David Mountfort's submission which we completely agree with as it is thorough and professionally written. I do not need to repeat it here.

16) Social Impact will be disastrous if PC29 in its current form to go through with no real discussion or vision with affected neighbourhoods.

William Samual (at 56mins) had an interesting take on 'designing' the City, and not leaving it up to developers, which is what PC29 will do. This was very informative and I agree with William.

https://www.youtube.com/watch?v=HJxk1AE_LTs

Online submission

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

Submitter No.	S330
Submitter Name	Jennifer Pomeroy
Submitter first name	Jennifer
Submitter middle name	Ann
Submitter surname	Pomeroy
Submitter is contact	Yes
Email	jpomeroynz@gmail.com
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	Pop might be predicted to grow but the proposed plan 29 changes are suggestin at the rate of Shanghai rather than Nelson! Overkill. Limit high density multi story to the existing CBD and if in future proves to be inadequate then consider expanding the zone. but fill up the middle first! As it stands tower blocks could spring up randomly. You say for 6 stories you would need a resource consent but from what I have seen from the Soho development on Nile St I don't have much faith in your resource consent process. Even this submission form came pre-populated with "not directly affected" I live in central Nelson - I am directly affected! Although new dwellings don't need carparks - get real - I can't see anything in your plan that will address the extra cars associated with extra dwellings. Parks may not need to be with the actual dwelling but the city will need more carparks and longer term car parks. People may walk / bus / cycle to work, to friends etc but I don't think they will ditch the car - just use it less and therefore it will need to be parked. Also electric cars need charging - already you see extension cords running across the footpath - how do you propose sorting this realistically. Nelson advertises itself on its proximity to three national parks - how are people going to get there and enjoy if they don't have cars. Be realistic.	Redraft plan 29 so that high intensity is confined to the CBD. (CBD boundary to remain unchanged) Daylight angles to be unchanged. Some of proposed high density can become Medium density but no more than two stories when affecting daylight of neighbouring properties and certainly not a blanket over the whole area.

I also can't see with random development how planning schools, doctors surgeries etc will be in appropriate places. are the sewers, drainage, electricity supply etc up to scratch in every single location in the high and medium density zones to cope with random intensification. Has the Council got a plan running concurrently to address social infrastructure for this mass population explosion they seem to feel we are on the point of - hospitals, fire, police?

There is no doubt we have a housing crisis in Nelson - both affordability and stock, and our population is growing and so we do need some intensification but this is overkill, unsophisticated and doesn't take any of Nelson's natural strengths into consideration. Quite often I hear comments like "don't worry it won't happen it will be too expensive" - if it is truly too expensive then the plan doesn't address the crisis.

Online submission

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

Submitter No.	S331
Submitter Name	James Taylor
Submitter first name	James
Submitter middle name	Patrick
Submitter surname	Taylor
Submitter is contact	Yes
Email	info@theframingrooms.co.nz
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	1. The plan did not have the required community consultation at the beginning. The decision to make Nelson a Tier One city is not appropriate. The hundreds of pages that people have to try and digest is not reasonable. 2. The statistics used to justify the level of intensification proposed have been wildly misinterpreted.	I ask that the council throw out Plan Change 29 because it is such a flawed document.

Residential Zones	Medium Density Residential Zone	Oppose	1. The Mount St neighbourhood cannot take an increase in volume of people because the road is narrow and passing ways are already difficult. In places there is no pavement to walk along and people often are walking in the road because cars are parking across the pavements that do exist. 2. The geology of the hill is not suitable for greater development. 3. Any intensification is likely to destroy the character and feel of this long established neighbourhood. 4. The possibility of Medium Density Residential Zone development will cause people enormous anxiety because of the threat of building next to their homes. 5. Under this Plan Change developers can build with no provision for parking. Mount St does not have any available space for more parked cars. Accessibility is already an issue as explained above.	I ask that the council do not make the Mount St area a medium density zone. It is vital that the number of houses, people and cars on the hill are restricted to the current number of properties.
Residential Zones	High Density Residential Zone	Oppose	1. I believe this course of action is not necessary because other more suitable opportunities for intensification do exist. I feel that the CBD offers plenty of land and empty buildings that can be used for housing. 2. It will ruin the character of many of the beautiful neighbourhoods around Nelson. 3. It is important to maintain current levels of green space in neighbourhoods for peoples' well being: for example, for gardens, for growing food, for the ecology of our town and for everyone's collective enjoyment.	I ask that the council do not make any of the suburban neighbourhoods a High Density Zone.

Inner City and City Fringe Zones	Inner City Zone	Oppose in part	1. There are plenty of large sites that could be used for intensification. Some land is sitting empty, some land has buildings on it that are no longer in use, some land use seems inappropriate in the city. For example, there are the two empty 'hotels' on the corner of Collingwood and Bridge St. There is the army cadets site on the corner of Rutherford and Hardy St. There is the large motel that is for sale right by Montgomery Car Park - surely this is an opportunity for redevelopment. 2. I think that the City Fringe is under-used. Many of the commercial operators along Vanguard St and St Vincent could be re-located and the land used for intensification. This is an area that is flat so good for building, it is close to the city and there are not established neighbourhoods that will be affected by building apartments. Many of the properties situated there are run down and old.	If intensification is necessary in Nelson the best option is to start in the CBD. I would like to see land being used more appropriately and I would like to see a focus on Nelson being a well designed, architecturally beautiful city. I want the council to bring in a group of architects to come up with a plan for the whole city so that it is cohesive and imaginative.
--	--------------------	----------------	--	---

Online submission

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

Submitter No.	S332
Submitter Name	Tracy Neal
Submitter first name	Tracy
Submitter surname	Neal
Submitter is contact	Yes
Email	captainandtneal@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	I support the concept of planning and the need to consider future scenarios, and I support aspects of the proposal but it appears very little thought has gone into the consequences of the proposed maximum heights for buildings in the High Density Residential Zone. There should be scope within a plan like this to reconsider where Nelson's future lies, and what could be done to create its point of difference. It is a port city with a strong maritime heritage that is different to other provincial cities/town in NZ, yet there is no reference to any open-minded approach to what could be achieved, using good design input as a basis. Closer consideration is needed of many aspects of what is proposed. These reasons have been well highlighted at various community meetings, including the use of potentially "dodgy demography" in how the council arrived at its decision on proposed population growth. Right now there is little to attract people to Nelson City, there is little reason to live here or even visit. Tasman has greater advantages in terms of attractiveness and opportunity to attract people because our environment is first rate, and it's all we have. That is our point of difference.	Increase Decrease proposed maximum building height for Inner City and City Fringe from 12m to 24m.

Online submission

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

Submitter No.	S333
Submitter Name	Rodney Witte
Submitter first name	Rodney
Submitter middle name	David
Submitter surname	Witte
Submitter is contact	Yes
Email	rodngairewitte@hotmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Transport	Transport rules	Oppose		Delete proposed rule REr.43A State Highway Noise Acoustic Insulation in its entirety.

1. The proposed rule is inconsistent with New Zealand Transport Agency Waka Kotahi (NZTA) published guidance.

The proposed rule seems to have been inserted at the request of NZTA by way of statutory agency feedback to a consultation draft of proposed Plan Change 29 (PC29) (letter of 20 December 2022 from Mike Scott NZTA to Maxine Day Nelson City Council - attached to this submission as a supporting document). At page 3 of the letter NZTA supported the council proposal for a new acoustic insulation rule for new houses and alterations in all Residential Zones near the state highway but sought that the proposed 80m buffer be increased to "100m from the edgeline of the state highway." The letter further states: "Noise modelling is also being undertaken to refine this area. At some point in the future it may be possible to replace this noise buffer with noise contours."

NZTA's "Guide to the management of effects on noise sensitive land use near the state highway network" (Sept 2015) sets out (Equation 1) how to calculate the extent of buffer and effects areas adjacent to the state highway corridor. The equation includes as factors traffic speed, road surface, average daily traffic volumes, and percentage of heavy vehicles and indicates that depending on the outcome of the calculation the effect area distance can increase in 10m increments from 40 to 100m.

A blanket 100m effects area corridor within which the habitable spaces of new and existing buildings are required to be acoustically insulated, and potentially mechanically ventilated, the entire length of State Highway 6 where it passes through Nelson City would on the face of it seem to have no regard to the above factors. As proposed it applies equally in the 50km/h areas of Haven Road, Wakefield Quay and Tahunanui Drive as it does in the 60 and 80km/h areas of QE2 Drive / Atawhai Drive and the 100km/h area of Whakatu Drive where there is no existing noise bund or acoustic fence. Furthermore, the proposed rule has no regard to road surfacing, traffic volumes or percentage of heavy vehicles.

2. The proposed rule is inconsistent with Council's technical advice.

The Marshall Day Acoustics Report "Nelson City Resource Management Plan Acoustical Review of Plan Provisions" (1 Dec 2016) attached as Appendix 3C to the section 32 report for PC29 is a comprehensive review of the existing plan provisions and recommendations for the then proposed plan review. The discussion at section 4.12.2 (page 17) suggests that there "could be merit" in providing a sound insulation rule to new dwellings where the external noise level exceeds 57dBL_{aeq}/24hour or greater.

As far as I can determine no noise survey has been undertaken to determine the 57dBA contour.

Importantly while the report contains detailed suggested provisions for acoustic insulation of dwellings affected by port and airport noise, the suggested policy and rule provisions for road traffic noise apply only to noise levels from new and altered roads and specifically state at Appendix 3:

"2. This rule does not apply to:
(i) Existing Roads..."

3. Proposed Rule REr.43A lacks a coherent policy basis.

Objective DO13 Land Transport and associated policies provide no supporting policies that support or provide a rationale for State Highway noise acoustic insulation of private dwellings. Policy DO 10.1.1 deals with the environmental effects of vehicles and the only reference to noise in any land transport objective or policy. The explanation to Policy DO1.1 states (in part): " the direct effects of vehicle traffic such as noise ...can all be avoided or mitigated by a reduction in the number of vehicle trips."

A policy outcome that reduces traffic volumes on the State Highway precludes the need to acoustically insulate dwellings alongside the highway. Indeed, as the New Zealand vehicle fleet increasingly transitions to electric vehicles and council initiatives to mode shift from private cars to bicycles and electric buses receive more uptake, traffic related

exhaust and engine noise on the urban State Highway should decrease even if traffic volumes don't.

4. The proposed rule is inconsistent with the approach taken in the operative Nelson Resource Management Plan and also as proposed to be amended by PC29 to manage reverse sensitivity from the airport and port.

Both the Port Effects Control Overlay and Airport Effects Advisory Overlay have been delineated according to measured noise contours. In contrast the proposed State Highway Noise Acoustic Insulation Rule (REr.43A) has been fixed by an arbitrary distance with no noise monitoring. Moreover, within both the Airport Effects Advisory Overlay and the Port Effects Control Overlay, residential density is limited by rule REr.64 to one residential unit per 600sq m. The purpose of this density control is explained in policy RE1.5ii "... to minimise the number of residences exposed to noise from the airport and the Port Industrial Area." No such density limit is proposed within the 100m corridor alongside the State Highway and subdivision is permitted to 200sq m with up to three units per site (General Residential Zone).

5. The section 32 Evaluation Report fails to evaluate whether the proposed rule is the most appropriate method to achieve a reduction in traffic noise to affected properties.

Section 32 (1) (b) RMA states:

- (1) An evaluation report...must
- (b) examine whether the provisions in the proposal are then most appropriate way to achieve the objectives by _
- (i) identifying other reasonably practicable options for achieving the objective..."

There is no stated objective in PC29 for proposed rule REr.43A. However, the context of the rule suggests that the objective and purpose of the rule is to mitigate the adverse effect of traffic noise on persons residing alongside the state highway.

There are numerous reasonably practicable options to mitigate the effect of traffic noise which are within the functions and responsibilities of NZTA.

- Noise mitigating seal / road surfacing. Chip seal is particularly noisy.
- Road reconstruction to eliminate depressions and an uneven surface. A significant issue in parts of QE2 Drive and Atawhai Drive is uneven settling of the state highway road surface causing banging, rattling and vibration from heavy vehicles.
- Noise reducing bunds or walls within the legal highway corridor.
- More stringent testing of exhaust noise at Warrant and Certificate of Fitness vehicle testing.
- Reduced speed limits. As a resident affected by noise from QE2 Drive, State Highway 6, I can attest that there has been a significant reduction in perceived traffic noise since the speed limit was reduced from 80 to 100km/h. It took 13 years of concerted resident action from 2006 to achieve that outcome. resisted virtually the entire time by NZTA and its predecessor organisation.

In my view imposing a RMA rule requiring residents to foot the not insignificant cost of acoustically insulating their homes should be a last resort option when all other reasonably practicable options have been implemented.

The s32 evaluation report fails to identify or assess any of the above options all of which I believe are reasonably practicable.

The s32 report should also have considered as an option a noise advisory overlay similar to the policy approach for airport noise. Such an advisory overlay would not contain a mandatory acoustic insulation rule. It could contain a rule that limits the density of residential development alongside the State Highway and other main roads.

6. The section 32 Evaluation Report fails to quantify costs and benefits.
A section 32 assessment must, if practicable, quantify the benefits and costs including economic costs (RMA s32(2))

The NZTA Guidance (Sept 2015 - referenced in section 1 above) assesses the financial cost of acoustically insulating a new or existing

dwelling at between \$27,250 and \$7,250 depending on whether it is single or double storey and the distance back from the road (Figure 16 NZTA Guidance). Given that these are 2013 figures, exclude GST and do not include the cost of the "design report prepared by the suitably qualified and experienced acoustics consultant" as required by proposed rule REr. 43A.1 the actual financial cost to homeowners will be substantially greater than the NZTA figures.

The s32 report makes no attempt to quantify the costs to homeowners both individually and collectively. It may very well be that the collective costs to homeowners over time is substantially greater than the costs to the roading authority (NZTA) of implementing any or all of the noise mitigation options listed in section 5 above.

At a minimum a desktop "macro" analysis of the private costs to the large numbers of homeowners affected by the proposed rule compared with the costs to the roading authority of other methods to reduce traffic noise should have been included in the s32 Evaluation Report.

7. Proposed Rule 43A lacks clarity

The rule requires the habitable spaces all new buildings, additions or substantial alterations to an existing building to be acoustically insulated. The definition of "habitable room" includes a kitchen. "Substantial alteration" is not defined. The re-modelling of a kitchen with some minor interior alterations would in many instances represent a significant financial proportion of the total value of the dwelling. However, in terms of the structure of the building such work is minor notwithstanding it may require a building consent. Is work of high capital value but low structural significance "substantial"?

8. The proposed rule is not effects based.

If the policy intention is to manage reserve sensitivity effects from traffic noise why does the proposed rule not also apply to Nelson City Council administered roads such as Waimea Road and Rutherford Street which carry similar or lesser (in the Clifton Terrace

area of State Highway 6) volumes of traffic as the state highway?

An effects-based rule should deal with all similar effects, such as traffic noise, in a consistent way regardless of the road controlling authority.

S334

Voided

Online submission

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

Submitter No.	S335
Submitter Name	Deborah Coulter
Submitter first name	Deborah
Submitter middle name	Elizabeth
Submitter surname	Coulter
Submitter is contact	Yes
Email	debbiecoulter67@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	High Residential Zone should not be introduced to Stoke as proposed in Plan Change 29: This change will significantly negatively impact the lives of residents already living in infill housing - for example my property has no street frontage and is already quite close to neighbours. With Plan Change 29 my property would be likely to end up with virtually no sun at all. This sort of situation will affect the health (mental and physical of people living in these areas). For higher density housing there needs to be consultation with those in housing nearby - it should not simply be a permitted activity. Higher density housing should be properly planned with green space around it - and consultation with neighbours. Adequate green space around would stop high rise housing severely negatively affecting existing infill housing.	That the Council rejects Plan Change 29 - especially in relation to the introduction of High Density Residential Zone at Stoke.

Online submission

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

Submitter No.	S336
Submitter Name	Zachary Domike
Submitter first name	Zachary
Submitter middle name	Ronder
Submitter surname	Domike
Submitter is contact	Yes
Email	talismanstructures@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	The Plan Change process	Oppose in part	Plan Change 29 is based on the existing map of property ownership, but this is not stable. The Court has clearly stated that about one billion dollars worth of NCC property will be reassigned as listed in the NZ Herald article above. Changes of this magnitude will reform an unpredictable extent of Nelson City; a postponement of the Plan Change 29 will prevent substantial planning dislocations in the New Year.	Prior to selection of specific areas affected by this Plan Change, NCC must wait for the imminent resolution of the Nelson Tenth's lawsuit. See: https://www.nzherald.co.nz/nz/nelson-tenth-trial-long-running-property-claim-against-crown-drawing-to-a-close-after-14-years-of-litigation/FZCFYJGICVA7LJSO5AFTJVIT34/

Online submission

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

Submitter No.	S337
Submitter Name	Nanette Barberel
Submitter first name	Nanette
Submitter surname	Barberel
Submitter is contact	Yes
Email	kn.barberel@xtra.co.nz
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part		

Plan Change 29 offers no respect to existing rights to share sunshine and views and protect people's privacy as we do now.

I have heard repeatedly during Council presentations that the proposed changes are changes that developers might or might not use to develop property. This insinuates that not all developers will take advantage of the lolly scramble on offer.

This is Council naively thinking that developers will not take full advantage of opportunities gifted to them at the expense of others quality of life. Intensification upwards is not the answer.

That being said I see an opportunity to revitalise the CBD with sympathetic development of apartments for those wanting inner city living.

Nelson's development will be dictated by developers and bureaucrats with residents having no input to changes impacting the social fabric of Nelson - not so democratic!

No parking provisions: will result in parking in streets adding to congestion, safety matters.

People are not going to suddenly divest themselves of their cars.

Accessibility: Assumes that Nelson has a relevant, effective public transport system. Residents through disability or age (not exhaustive) will be marginalised living in high density areas (15mins from amenities).

I bike and walk but still require the use of my car and am nowhere near ready to relinquish my vehicle.

What is to happen after thirty years and this grand plan has forever changed the Nelson landscape and people are living hemmed into residences without sun and at war with neighbours/developers developing property that impinge on others spaces? Nelson will have lost its charms and attractions that have led and kept us here by choice.

What will Nelson's next steps be when there is no longer any land left to develop? Do we then consider underground options?

How many properties are currently sitting vacant or used only as holiday accommodation only?

Intensification in Nelson is not going to resolve the countries population growth issues and our environment should not be compromised by policies made centrally(eg parking requirements). Perhaps expansion should be catered for by development of satellite towns rather than intensification.

Online submission

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

Submitter No.	S338
Submitter Name	Tim Morrison
Submitter first name	Tim
Submitter middle name	Bernard
Submitter surname	Morrison
Submitter is contact	Yes
Email	morrison_family@xtra.co.nz
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	My reasons are contained in the section above.	

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

1) Design Lead and Not Developer Lead Growth.

a) I acknowledge that Council is responding to Government directions to intensify housing and understand the intent behind that Government direction.

b) However, 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.

c) 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.

d) Green Spaces, Trees and Landscaping are essential for the look and feel of most of our 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.

e) I ask the Council to create a broader level of protection for neighbourhoods beyond those that exist for the heritage buildings and precincts.

f) PC 29 in effect gives developers the right to;

- Block resident's views.**
- Shade properties.**
- Invade resident's privacy.**
- Reduce resident's amenity.**
- Substantially reduce adjacent property values when they are impacted by a development.**

These are significant adverse effects, and an adjacent property owner will lose amenity and sustain large loss of property value without compensation. This is unfair and should not be endorsed by Council.

a) I accept that some intensification is necessary.

but I believe that intensification can be achieved without the gross effects that PC 29 will bring. I ask the Council to appoint an Urban Development Agency (UDA) to carefully guide growth in a manner that does not affect cause the effects listed in item f above.

2) Sunlight Recession Planes and Shading Effects

a) One of the effects of the proposed PC29 is that 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. This will limit the intensification desired by Council.

b) I ask the Council to maintain the existing Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.

4) 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 ask Council to remove HDRZ from the plan completely.

- I ask Council to apply the new and amended General Residential Zone equally across the entire Nelson district on the introduction of PC29, on the basis that existing 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 underutilization of land that can accommodate increased intensification. Larger Green Field developments offer the best opportunity for intensification which can be designed such that neighbouring properties are minimally affected. I note that buyers of properties in such new developments

will be purchasing with knowledge of how adjacent development affects them, and this will no doubt be reflected in the reduced value of the land and other adverse effects will have been implicitly accepted by the purchaser.

5) Progressively Phased Intensification

a) 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.

b) City Fringe would be the next zone to phase in for intensification.

I ask Council to negotiate and/or incentivize appropriate industrial and commercial premises to relocate to less essential land that can be better used for accommodation.

I ask Council to consider intensification of industrial and commercial land in fringe city zones, thus freeing up land for residential purposes.

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 would support Medium Density Residential Zones (3 Storey 11m high) progressively expanding from the CBD (and Central Stoke) if required and over time, providing existing Daylight Admission Protection rules remain in force for existing properties.

6) Intensification in hazard zones

I ask Council to apply no greater than General Residential Zoning rules in all Hazard overlays, because these areas have been assessed as vulnerable.

Kind regards

Tim Morrison