

Online submission

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

Submitter No.	S551
Submitter Name	Jude Osborne
Submitter Company/Group Name	Jude Osborne
Submitter is contact	Yes
Email	jude@judeosborne.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		I reject Plan 29 in its entirety until the public know the findings of the National Policy Statement on Climate, with respect to inundation and sea level rise, as well as the findings of Plan Change 30, regarding Nelson Airport, Extension to the north, and its impact on Tahunanui residents and businesses.

I oppose the proposed high density in residential areas where there are increased natural hazards – flooding – inundation – land instability – making it a poor choice.

Because of this I believe there should be no high density zones on any hillsides in any zones within Nelson.

Priority needs to be given to all higher density zones being only applied on flat, stable land within walking, cycling and public transport means to the inner city.

I believe in the right development in the right area.

The inner city hub should be the focus of initial and most significant intensification before moving into residential neighbourhoods. This will allow for time for proper engagement with communities.

Each community should be given the opportunity to be given an overview or plan for their community, a collaborative approach between Council and Community to influence the Shaping of their Nelson.

An example of this is the ratified Tahunanui Structure Plan (2004), helping to obtain community buy-in and consensus.

All existing properties need to be protected in terms of their access to light – to warm their homes, utilise their access to sunlight for solar, heating homes and maintaining their gardens and outdoor activities.

Housing intensification should not come at the cost of the quality and wellbeing of existing residents.

Nelson's beautiful sight lines should be preserved – nothing should be higher than the cathedral for example. These are significant tourist attractions and part of why people visit Nelson. Poorly planned intensification could ruin Nelson's inherent charm and character.

Intensification within the city could be over 3 stories, but the suburbs only need to go to 3 stories.

Regarding future development in Tahunanui, there is a disconnect between proposed densification in Tahunanui Hills around Tamaki Street and its distance from the beachside community of Tahunanui, as well as lacking amenities and public transportation. This effectively creates an isolated commuter suburb, with no nearby supermarkets, bus stops or cycle lanes, and segregated from the flat beachside village of Tahunanui, its school and kindergarten.

There are difficulties accessing Tamaki Street in all modes of transport. There is only one pedestrian zebra street crossing by Tahunanui School, meaning a distinct lack of infrastructure to support densification. The junction of Toswill Road and Tahunanui Drive is the site of many serious accidents including two fatalities – involving cars, cyclists and pedestrians.

Heritage – Tahunanui is in the presence of many Taonga, including at the base of Bisley Avenue, at the car yard and pharmacy site as well as the Basin Reserve on Rocks Road. These are areas of significant cultural heritage and need to be treated with respect and reverence.

Online submission

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

Submitter No.	S552
Submitter Name	Nelson Residents Association
Submitter Company/Group Name	Nelson Residents Association
Submitter is contact	Yes
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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		Delay implementation

Documents included with submission

None

Online submission

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

Submitter No.	S553
Submitter Name	Leo Barrer
Submitter first name	Leo
Submitter surname	Barrer
Submitter is contact	Yes
Email	leohbarrer@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 in part	To protect the character and live-ability of Nelson	Increase protections within the plan change for residents to challenge adjacent developments on the grounds of losing access to sunlight or outlook, including the ability to potentially halt developments that negatively impact their quality of living.

Documents included with submission

None

Online submission

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

Submitter No.	S554
Submitter Name	Leather Langbridge household
Submitter Company/Group Name	Leather Langbridge household
Submitter first name	Rory
Submitter surname	Langbridge
Submitter is contact	Yes
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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	The Plan Change process	Amend		We support the principle of intensification however we seek for the process to be substantially refined to: - increase the level of local consultations - We oppose the crude planning that has been applied to the Nelson area, we seek that detailed planning considerations are given to local neighbourhoods following consultation. - develop a strong urban design policy with strategic and specific outcomes that would ensure quality outcomes - Set up an urban development agency to oversee and direct the long and short term development of the city - We strongly endorse the submission provided by

Re. "Plan Change 29"

This is a submission on Plan Change 29, and providing a strong endorsement of the submission made on behalf of the The Nelson & Marlborough branch of Te Kāhui Whaihanga New Zealand Institute of Architects

In general, as a landscape architect I am in support of the need for and intent of the proposed Plan Change 29 to intensify housing supply in and around our primary urban areas and recognise the limitations that exist for the Nelson Richmond area to accommodate an ever-increasing population.

For too long Nelson has relied upon a growth strategy that focuses on the development of the city fringes and PC29 makes the right moves towards rectifying that. Intensifying our existing urban areas will create more housing choices, allow people to live closer to where they work and socialise, revitalise the central city, reduce our reliance on cars and allow for more efficient infrastructure investment.

However, we share the concerns of the Institute of Architects when they opine that in its current form, PC29 is considered inadequate and unable to deliver the urban design outcomes that are needed.

Our thoughts are that the strategy that is put forward is a particularly blunt approach to something that requires a far more detailed and nuanced approach in order to get buy in from the community, an essential component, if it is to survive its implantation. In our opinion, it is

that bluntness in the approach that exposes the proposed plan to much of the criticism that has been generated and in our opinion is the cause of much of the opposition.

It is noted that the Nelson Tasman FDS2022-52 recommended a far more detailed and consultative approach that would require a neighbourhood by neighbourhood spatial plan to identify those specific areas that would suit intensification and which may then garner neighbours support. We recognise that the scope of such a study is far greater than what has been done to date but feel for a 50 year + plan, both detail and support are critical to a successful outcome over the period of implementation.

The apparent lack of community and industry engagement within the preparation of PC29 is a concern. This has resulted in the negative reaction to the suggested changes when they were presented as what came across as a fait accompli which has resulted in the strong reaction. We strongly recommend that council commits to direct engagement with the community during the development of the spatial plans and associated plan changes.

The other aspect of the architectural submission that we would like to strongly endorse are their comments and observations around the lack or absence of any qualitative controls and standards in place to provide some comfort to current and future residents that the resulting outcomes will be of good quality and result in good high amenity outcomes.

Currently quality is covered either through requirement of the plan or alternatively through the use of the urban design panel. In my opinion neither of these has proved effective to date and is not considered adequate to ensure good outcomes.

Again I strongly endorse the strategy outlined in the NZIA submission, this reflects international best practice and helpfully refers to both local and international examples that Nelson can adopt and/or follow and in particular;

6 story building limit. We do not support the blanket 6 story height limit placed within the high-density zone, from my observations of Wellington and other urban areas, my preference would be a 4 story limit. However, the economics of the 6 story height has been explained to me and for that reason we would strongly propose that rather than this be a blanket restriction, it be considered in far greater detail as potentially a restricted discretionary application. We note the observations made on this subject by the NZIA and fully endorse their suggested strategy.

Rory Langbridge
Annie Leather

Online submission

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

Submitter No.	S555
Submitter Name	Gerrard Wilson
Submitter first name	Gerrard
Submitter middle name	Llewellyn
Submitter surname	Wilson
Submitter is contact	Yes
Email	gw@urbis.net.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	Refer to attached document.	Refer to attached document.

Entire Plan Change	The Plan Change process	Oppose	Plan Change 29 proposes a suite of changes that, if approved, will arguably comprise the biggest alteration to Nelsons planning controls in its history. By extension, this will also be the largest removal of property rights since the NZ Company surveyed the region. As a consequence, the composition of the hearings panel needs to be appropriate and robust. While Councilors can be appointed to hearings panels, this is not always considered good practice in the planning profession. Moreover, while Councilors Brand and O'Neill-Stevens may be accredited under the 'Making Good Decisions' programme, Cr O'Neill-Stevens holds no other relevant formal qualifications and neither parties are sufficiently experienced to sit of a hearings panel considering a matter of this magnitude. Their appointment challenges and threatens the credibility of the process and its outcome.	That the composition of the hearings panel is reviewed and Councilors Trudi Brand and Rohan O'Neill-Stevens replaced with independent and qualified professionals with an appropriate level of experience (including at hearings and Environment Court).

Documents included with submission

Document name	G Wilson Submission Plan Change 29
File	gwilsonsubmissiononplanchang
Description	PDF Submission Document

RMA Submission
Publicly Notified Plan Change 29
to the Nelson Resource Management Plan

To: Nelson City Council

Name of Submitter: Gerrard Wilson

Address for Service:

Trade Competition: I **could not** gain an advantage in trade competition through this submission.

Council Hearing: I wish to be heard in support of my submission.

I am prepared to consider presenting my submission in a joint case with others making a similar submission at any hearing.

Introduction

1. This submission is on Proposed Plan Change 29 to the Nelson Resource Management Plan and relates to the **entire Plan Change**.
2. I **oppose in part** and request **amendments** to the Plan Change.
3. I am a qualified property professional (B.Prop, B.Com) and former registered valuer with specialist expertise, inter alia, in development feasibility. I have represented various Territorial Authorities specifically in relation to understanding development feasibility and the impact of zoning regulations on value, and have acted as an expert witness in Environment Court on the matter of development feasibility.
4. I am a Nelson City resident and rate payer and reside at 239 Rutherford Street and whakapapa to Ngāti Apa ki te Rā Tō, one of the eight Te Taihū iwi.

Background

5. The objective of Plan Change 29 as set out in the Section 32 report is to implement the National Policy Statement on Urban Development 2020 (NPS-UD) by supporting housing delivery and the provision of well-functioning urban environments within Nelson while ensuring that natural hazard risks are appropriately managed and historic heritage is protected. This is proposed to be achieved through enabling intensification of development in the urban areas of Nelson where not affected by significant natural hazards. Residential intensification is proposed to be enabled through the introduction of three new residential zone areas: General Residential zone, Medium Density Residential zone and High Density Residential zone.
6. Under the National Planning Standards the General Residential zone, Medium Density Residential zone and High Density Residential zone are described as follows:

“General Residential zone - Areas used predominantly for residential activities with a mix of building types, and other compatible activities.

Medium Density Residential zone - Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.

High Density Residential zone - Areas used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.”

District Plans are required to give effect to the National Planning Standards under Section 75(3)(ba) of the Resource Management Act 1991 (RMA).

7. The Government introduced the National Policy Statement on Urban Development 2020 (NPS-UD) in August 2020 (updated 2022) which sets out the objectives and policies for planning for well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future and to ensure sufficient development capacity is provided to meet the different needs of people and communities.
8. Under the NPS-UD a well-functioning urban environment is defined as urban environments that, as a minimum:
 - a) *have or enable a variety of homes that:*
 - i. *meet the needs, in terms of type, price, and location, of different households; and*
 - ii. *enable Māori to express their cultural traditions and norms; and*
 - b) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
 - c) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
 - d) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
 - e) *support reductions in greenhouse gas emissions; and*
 - f) *are resilient to the likely current and future effects of climate change.*
9. The NPS-UD sets out clear requirements for what a Future Development Strategy (FDS) must show and be informed by, and how it is given effect. It states that the purpose of the FDS is to promote Long Term strategic planning by setting out how the Councils intend to achieve well-functioning urban environments in their existing and future urban areas and provide at least sufficient development capacity over the next 30 years to meet expected demand. Further, that every tier 1 and 2 local authority must have regard to the relevant FDS when preparing or changing RMA planning documents.
10. The Nelson Tasman FDS 2022 – 2053 was updated and adopted in September 2022 to plan for housing and business growth over the next 30 years.
11. The NPS-UD further requires every tier 1 and 2 local authority to prepare and implement an implementation plan for its FDS. Every implementation plan must be updated annually. Nelson City Council produced an Intensification Action Plan in September 2020 (before the latest version of the FDS was issued) to implement the FDS. I am not aware of any updated version of the Intensification Action Plan.

Reasons for Submission

12. I oppose, in part, Plan Change 29 and seek amendments to the Plan Change to the extent that:
 - a. implementation of the Future Development Strategy's 30-year strategic plan for development capacity through one blanket rezoning of all residential areas will lead to ad hoc development throughout the city that in the long term will result in poor planning and social outcomes;
 - b. the Plan Change does nothing to revive a dying CBD and instead gives priority to attempting to fix housing affordability, which cannot not be solely achieved through a plan change, let alone without the economic support of a functional CBD;
 - c. an extensive high-density residential zone, for the most part, is not appropriate, necessary or fitting in the Nelson context, with the potential for greater adverse effects resulting as opposed to benefits;

- d. the impact on essential residential amenity (sunlight and daylight access) of some rezonings has been given insufficient weight through the Plan Change;
- e. as a result of the package of bulk and location standards for the residential zones, in reality it will limit opportunities for residential growth and housing choice in Nelson and not achieve the objectives of the Plan Change; and
- f. the section 32 analysis, and supporting documentation, contains flawed assumptions and incomplete assessment, questioning the integrity of the Plan Change.

13. The specific reasons for my submission are:

- a. Given how material the proposed changes to development controls are, staging their introduction more incrementally (over a 30 year horizon but with a 10 year review frequency for example) is likely to provide a more considered outcome for Nelson City while allowing Council to still respond and adapt to future demand pressures. In addition:
 - i. While the FDS contemplates growth out to 30 years, the NRMP is required to be reviewed on a 10-year cycle in any event and it is not mandatory for Council to adopt such material changes (as in PC29) to respond to the FDS immediately and / or in one attempt. Furthermore, while Council has considered long-term population growth forecasts and endeavoured propose planning controls to accommodate that growth; the longer term the forecast the less reliable it is and it is inevitable that the population growth forecasts will be incorrect, either in terms of timing, numbers, or both;
 - ii. PC29 partly proceeds on the basis of future assumptions that are so far in the future that they are not capable of being validated. For example, the rapidly changing nature of the retail and the commercial sectors and the workforce that supports them is complex and its future composition cannot be reliably predicted. This is complicated further by the cyclical nature of economic and housing markets, which already rendered elements of the supporting work commissioned by Council (and the underlying assumptions they helped derive) out of date. A staged implementation timeframe would allow for the forecasts and assumptions to be updated on an ongoing basis and the planning settings incrementally adjusted as necessary, providing more appropriate density outcomes as and when needed;
 - iii. With a built lifecycle of at least 50-60 years (although in practice materially longer), construction permitted by PC29 will be enduring far beyond the timeframe contemplated by the FDS. Its effects and impacts will shape Nelson for generations and accelerating the introduction of some of the inappropriate development controls contained within PC29 risks imposing ongoing negative externalities for the life of those buildings constructed. Launching an excessively permissive and large scale density regime heightens this risk when Council has the option to stage both the scale and timing of the introduction of development controls in a more considered and incremental manner;
 - iv. Specifically in relation to fostering high density residential development, the interaction of the proposed development controls for the CBD in relation to the residential areas has not been adequately considered. For example, requiring resource consent for residential development in the central city area will cause private developers to favour high density apartment development in the residential zones where no resource consent is required. Initially, the CBD is a more appropriate area to accommodate apartment style high density living in that it can, for example, displace redundant and secondary retail accommodation and bring people to the central area. It is people that will foster vibrancy within the central area and stimulate re-vitalisation.
- b. The population growth assumptions underpinning PC29, as articulated in the FDS, note a continuing demographic shift with an increase in the over 65 age category, as well as relative decline in some of the younger age categories. Multi-level residential is, for obvious reasons, not favoured by an aging

population. Moreover, a larger aged population implies a greater requirement for relatively more lowly paid service industry employment which will further impinge on housing affordability (through a low wage economy). PC29 does not appear to adequately consider demographic changes as it pertains to workforce and commercial sector composition, nor the housing typologies that are likely to be demanded in the future.

- c. Council has overestimated and overstated its perceived mandate from public consultation in relation to the FDS. The proposed changes in PC29 are of a materially larger scale and more permissive (from a density perspective) than alluded to in the draft FDS documentation. It is disingenuous to suggest, as the supporting documentation does, that the FDS or its consultation process gives Council any form of mandate to impose the significant and material changes that it is proposing.
- d. Proposed Plan Change 29 will do little, if anything, to make in Nelson housing more “accessible and affordable”¹. It is not axiomatic that housing ‘choice’ provided for by medium and high-density typologies will equate to relatively more accessible and/or affordable housing. There appears to be no reference within the supporting reports as to how increasing housing supply to accommodate future population growth will improve affordability. In addition, ‘housing affordability’ is not adequately or clearly defined in legislation and affordability as an objective (based on the Section 32 report) appears to have been elevated above the other matters to be given regard within Section 7 of the RMA. Moreover, in my opinion affordability is not achievable via the provision of more permissive density or development controls, all else being held equal. In support of this last point:
 - i. The HAASHA legislation attempted to achieve affordability by, inter alia, increasing density above the levels permitted in the underlying zoning controls; i.e. similar means to what Council is proposing in PC29. Government empirically proved² that construction of residential accommodation under the HAASHA legislation not only failed to make housing more affordable, it made it more expensive, hence the legislations withdrawal. Betts Corner Apartments on Nile Street are a case study of a HAASHA development that did nothing to achieve housing affordability but merely facilitated the development of relatively high-end residential accommodation;
 - ii. The rate per square metre cost to construct multi-level residential buildings in NZ is almost always higher than for single level residential construction. Significant trade-offs are therefore required (reduction in size and amenity for example, quality being appropriately held to a minimum standard) for higher density accommodation to compete with single level accommodation on price alone. Those trade-offs are nuanced and buyer specific and not properly considered in the supporting literature;
 - iii. Construction costs are a matter of fact and there are few ‘levers’ to control them. The cost of the structure is broadly consistent between the same typologies with cost differences largely driven by design features and fitout quality. Scale brings some efficiencies, but these benefits can go to the developers profit margin as well as benefiting the purchaser. As a result, there is little that can be done to make construction of new build housing more affordable other than build to a minimum quality standard, build smaller dwellings, or construct on lower value land;
 - iv. Construction costs in NZ have increased dramatically in recent years and are at levels that require even the most basic apartments to be sold at a minimum of \$10,000 per square metre of floor area to be feasible (generally for the first-floor apartments with \$/sqm being higher at higher elevations in the building). Supporting this, the most recent sales of modern central Nelson apartments, expressed on a gross rate per square metre of floor area basis, can be evidenced between \$9,500 and \$16,500psm with variances dependent on factors such as location, quality, size, bedrooms and views etc. On this basis, a relatively modest 75sqm apartment will need to

¹ To quote Mayor Nick Smith and as referenced in the PC29 supporting documentation such as the section 32 report.

² See <https://www.beehive.govt.nz/release/costs-outweigh-benefits-special-housing-area-extension>

cost \$750,000, or higher; when considering the trade-off's, a stand-alone 200 sqm dwelling can be purchased for circa \$850,000 making the popularity of a new subdivision unsurprising. Rather than providing affordable high density housing options for a range of purchasers, PC29 risks simply promoting expensive high-end apartments for a relatively wealthier demographic, at a detriment to the amenity of those around them.

- e. There is no evidence, either in the supporting documentation or market derived, that PC29 will achieve “affordability” or improve housing “accessibility”, particularly as it relates to high density residential, neither does it enable it on its own. As far as I am aware, almost all attempts to develop ‘affordable’ housing in NZ either rely on some form of subsidy, grant, or wealth transfer. Examples include Inclusionary Zoning where in simple terms a developer is required to deliver a quantity of houses at a specified price-point (which is likely below its market value) or funds housing via targeted development contribution; ‘affordability’ is effectively achieved through foregone profit margin or increased pricing elsewhere in the development to fund the approach. Such initiatives do not make housing affordable in and of themselves (as the price of construction is immutable), there is simply an intervention to achieve affordability for a particular category of purchaser. While land use liberalisation is small part of a solution in achieving housing affordability, on its own it is incapable of achieving this outcome; housing affordability is a multi-faceted and complex issue that will require both supply side (intensification, school zoning changes etc.) and demand side (monetary policy, debt access, wage growth etc.) solutions to be achieved. These are outside of Local Governments mandate and control. Focusing on one aspect of the affordability issue, such as intensification, risks further distorting the outcome.
- f. The Tier 1 standards have been prepared for cities with materially higher population densities, more evenly spread demographics and larger, more developed economies, amongst a host of other factors; these and other factors drive the requirement to accommodate higher density residential options within the built environment for those larger cities. The Tier 1 standards are not mandatory for a relatively smaller city such as Nelson and do not contemplate the more nuanced or specific requirements of our city as it relates to these and other factors. The Tier 1 standards are inappropriate and unnecessary for Nelson and risk promoting the adverse outcomes that section 7 of the RMA seeks to avoid.
- g. Specifically in relation to the proposed high density residential zone, the potential adverse effects of future development in that zone have been understated and underestimated. Consequently, the assessment of those affects has not been appropriately or adequately considered. For example:
 - i. A 19.5 metre high or 6-Level structure set back 1m from the boundary imposes significant and permanent shading and loss of daylight that will impact properties well beyond the adjoining sites and at a level that is more than minor;
 - ii. On the face of it, the development controls describe a building envelope that would allow a significant and imposing single household dwelling of a much larger scale and level of site coverage than currently provided for; i.e. in theory both reducing amenity for adjoining sites without providing any of the outcomes targeted by Council;
 - iii. For those areas of the proposed high-density zone are currently low density zoned, PC29 is inequitable in that it imposes a relatively higher cost and amenity loss compared with, for example, general residential zoned areas (i.e. it is a more substantial change from low to high density zoning than from, say, general residential to high density or general residential to medium density). Moreover, there will be a relatively higher cost (both economic and non-economic) to sites in this area from the impact of introducing uncertainty of what future adjoining development might be and even higher localised cost where an adjoining site is actually developed for high density residential (again, that cost will also be relatively greater when comparing low density residential to, say, a general residential site). These costs have not been adequately considered in the section 32 analysis;

- iv. The uptake of future apartment development will be uneven, ad-hoc with the effects potentially localised and/or concentrated. Not all sites within the proposed high-density zone will be suitable for high density residential development for various reasons such as size, shape, cost and scale of existing improvements (which will need to be demolished or re-located) etc. As a result, the negative effects of high-density development will be more directly borne by those adjoining or near the relatively fewer sites that will be suitable. Bar some isolated sites, Council appears to have done little work to consider where (and when) high density apartment development may occur and how the negative effects will be borne by existing residents;
- v. 19.5 metres is a wholly inappropriate and unnecessary height limit for Nelson City. Apart from the negative externalities imposed, the Christchurch and Kaikoura earthquakes have driven more conservative occupier behaviour toward favouring lower rise construction. Scientific evidence³ suggests that there is a 75% probability of an alpine fault event occurring within the next 50 years (i.e. within the lifespan of a building constructed 'now') and that event having a 4 in 5 chance of being magnitude 8 or greater ('AF8' event). While structural engineers can design a 6-level building to an appropriate level of strength, such construction is more expensive (on a \$/sqm basis) than lower rise and in any event occupier demand considerations from the Christchurch experience justify a more conservative height limit (which would also have the benefit of imposing a lower cost of uncertainty and lost amenity on Nelsons residents). Proportionately higher and increasing insurance premiums will also add the relative occupancy cost of multi-level accommodation (both residential and commercial) which is more expensive to insure than single level dwellings and becoming less insurable throughout NZ, due to the significant number of insurable events we have suffered in recent history.
- h. In broad terms, there is inconsistency in the proposed PC29 planning controls in that they are exceedingly permissive on some aspects (density, height limits and site coverage for example) yet excessively prescriptive and somewhat contradictory on other controls (front yards and parking generally but also physical items such as cycle parking, and vehicle charging for example). The emphasis on certain controls appears to be at the cost protection of amenity and given the extensive nature of the proposed changes will invariably result in some perverse and / or unexpected outcomes. Moreover, such an interventionist approach is not only poor planning practice but is ultra vires in that it strays beyond resource management into the territory of the Building Act and Building Code. This aspect of PC29 needs peer review and amendment as it challenges the credibility of the proposed controls. Moreover, market demand will drive the implementation of most of these initiatives in any event (which are likely to change in the future anyway), if there is no demand for the initiative, Council is simply imposing an unnecessary cost on the market.
- i. It is questionable whether a 200m² minimum site size, as proposed through the subdivision provision of the proposed Plan Change, can practically achieve all of the development controls proposed for the residential zones through Plan Change 29. Bulk and location controls within a residential zone should work together as a bundle. Each standard has multiple areas of control, and therefore overlap in what they achieve. Not all standards available are necessarily required to achieve the desired level of amenity. For example, height in relation controls also manage building setbacks. In determining the correct mix of bulk and location controls, they need to be considered as a package and how they will practically be achieved.

Relief Sought

14. I seek the following decision from the Council:

- a. That the various elements of PC29 are reviewed and prioritised according to their importance under the NPS-UD and FDS, and are instead introduced in a staged manner (through the appropriate method, whether that be multiple plan change's or other such mechanism) from a timing and location

³ See <https://af8.org.nz/>

perspective to enable the NRMP to respond appropriately and in a considered and balanced manner as population demand dictates.

- b. That the proposed changes to the City Centre zone be reviewed and that amendments are made to the rules to ensure that:
 - i. reviving the commercial areas is a priority, and is enabled and not restricted by resource consent processes; and
 - ii. residential intensification of the commercial areas is incentivised over other residential areas, through more enabling rules in the central city area.
- c. That the proposed rezoning of sites to High Density Residential zone be reviewed and either amended, or the zone be deleted in its entirety, to ensure that High Density Residential zoning only applies where it is appropriate for that level of density to be located in the context of the surrounding land uses, amenity and character, and in relation to the proximity to the City Centre.
- d. That the proposed rezoning of the site at 239 Rutherford Street to High Density Residential be amended to be General Residential zone.
- e. That the standards and rules proposed for each residential zone be reviewed and amended to ensure that they:
 - i. are more consistent with Nelsons status as a Tier 2 city;
 - ii. are individually workable and practical;
 - iii. adequately protect residential amenity, particularly shading and sunlight access;
 - iv. work as a package of controls for each zone, including deleting unnecessary or excessive rules, to ensure the methods of the Residential zones achieve the outcomes sought for the zone.



.....
Gerrard Wilson

Dated this 30th day of October 2023

Online submission

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

Submitter No.	S556
Submitter Name	David Hazard
Submitter first name	David
Submitter middle name	John
Submitter surname	Hazard
Submitter is contact	Yes
Email	davej.haz@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	Neutral	A large portion of Nelsons properties suitable for development currently have a much higher permeable surface. There is scope for huge reductions in permeable surfaces which drastically increase the likely hood of flash flooding. The rule should be increased from 20% to 30%.	At least 20% 30% of the site needs to be maintained as garden to soak up stormwater.
Entire Plan Change	General opposition	Neutral	We need greater protection for trees and canopy cover. European studies suggest 30% minimum canopy cover in cities to help reduce temperature and improve air quality. Auckland intensification has seen huge losses in vegetation as the majority of developments remove all vegetation from the property include large mature trees. We cannot replace mature trees, it takes a long time to achieve the same level of cover.	Inclusion on protection of mature trees other than those listed as significant tree (small amount). I ask the council to create a broader level of protection for existing mature trees

Residential Zones	Other	Oppose in part		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 ask Council to ensure a minimum of two storey dwellings be built on all new green field developments.Eg Golden Elms in Toi Toi, NgawhatuValley and Marsden Valley.
Residential Zones	High Density Residential Zone	Oppose in part	It is by no way in character or in keeping with any existing 'Low Rise' Nelson residential suburb and beyond the MDS legal mandate	To reduce the scope of the high density residential zone to properties immediately adjacent to the inner city Nelson and Stoke. e.g on the city side of tasman street, Bronte Street. Equally reduce the scope of Medium density zones and replace with general residential zones

Documents included with submission

None

Online submission

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

Submitter No.	S557
Submitter Name	Rose Biss
Submitter first name	Rose
Submitter surname	Biss
Submitter is contact	Yes
Email	bissan@actrix.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 Zones	Medium Density Residential Zone	Oppose in part		Delete Medium Density Residential Zone from Tahunanui Hills. Retain existing Residential Zone for Tahunanui Hills. Medium density housing is best located firstly in hazard free areas and secondly where infrastructure services with sufficient capacity are in place before increased density development occurs. Infrastructure includes roading, stormwater, wastewater and water supply.

The roads serving this part of Tahunanui are too narrow and have poor sightlines. They are unsuitable for the increased traffic that will be generated by medium density housing, especially if no onsite parking is required for these houses. Unfortunately there is no longer any public transport on this part of the hills. The local mini bus service was withdrawn after the August 2022 landslips and no longer comes through the proposed new zone.

Existing stormwater and wastewater systems on the Tahunanui Hill are not designed for higher density housing. In recent years we have seen stormwater overflowing during high intensity rainfall events into properties along Tahunanui Drive and in Tosswill Road.

Instability affects a band of land (old sea cliff) which bisects Medium Density Residential Zone. The August 2022 rainfall event caused slipping along Tosswill Road, Chamberlain Street and in the Tosswill Reserve. The slipping was significant enough to cause road closure. Denser housing is likely to result in more land disturbance effects as building platforms are cut and retaining walls erected to accommodate these multi unit housing projects.

The proposed new height limit of 12m for Medium Density Residential and steeper daylight angles are too high. Also the new limited open space requirements and yards are too small compared to existing rules. The new rules are likely to cause the effects

of overlooking, lack of privacy and lack of daylight.

The Section 32 report, while long and detailed does not adequately explain why medium Density Residential zoning is the most effective and efficient zoning policy for the proposed area on the Tahunanui Hills.

There has been insufficient consultation for such a major change in housing density in this part of Nelson's residential area.

Documents included with submission

None

Residential Zones	High Density Residential Zone	Oppose in part	The roads serving this part of Tahunanui are too narrow and have poor sightlines. They are unsuitable for the increased traffic that will be generated by high density housing, especially if no onsite parking is required for these houses. Sadly there is no longer any public transport on this part of the hills. The local minibus service was withdrawn after the August 2022 landslips and a service no longer comes through the proposed new zone. Existing stormwater and wastewater systems on the Tahunanui Hills are not designed for high density housing. In recent years we have seen stormwater overflowing during high intensity rainfall events into properties along Tahunanui Drive and in Tosswill Road. Instability affects a band of land that cuts through the High Density Residential zone. The August 2022 rainfall event caused slipping along Tosswill Road in several places. The slipping was severe enough to cause road closure. Denser housing development is likely to result in more land disturbance effects as building platforms are cut and retaining walls erected to accommodate high rise multi unit housing developments. The proposed new height limit (19m 6 storey) and steeper daylight angles are too high. There are limited open space requirements and the proposed yard rules are too small. These new rules are likely to cause effects of overlooking, lack of privacy and lack of daylight.	Delete High Density Residential Zone from Tahunanui Hills. Retain existing Residential zoning. High density housing is best located firstly in hazard free areas and secondly where infrastructure services with sufficient capacity are in place before increased density development occurs. Infrastructure includes roading, stormwater, wastewater and water supply. Proximity to public transport, shopping facilities and open space is also important.
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The Section 32 report , while long and detailed does not adequately address why High Density Residential zoning is the most effective and efficient zoning policy for this part of the Tahunanui Hills.

There has been insufficient consultation for such a major change in housing density in this part of Nelson's residential area.

Residential
Zones

General
Residential
Zone

Oppose in part

The existing policy RE1.2(c) provides for consideration of effects on neighbouring properties. Its a sound policy and should be retained.

New developments with high density and particularly greater height and small yards should not be allowed as of right to affect negatively on existing residential development.

Retain Residential Policy
RE1.2(c) for Tahunanui Hills

Received: 30 October 2023

Plan Change 29-Housing and Hazards

Submissions: 5558

Notes: 539570224-16908

Individual person submitter

First name: Anne

Surname: Dickinson

Submitter is contactable: Yes

Address:

Phone:

Email: amelectroysis@gmail.com

At this stage I won't be speaking to my submission, thanks.

I would be happy to join others presenting of a similar nature, yes.

Trade competition: I do not gain an advantage in trade competition with this submission.

Privacy statement: I acknowledge that I have read and understood the Council's privacy statement.

My Submission is on Plan Change 29 – Housing and Hazards

The provision my submission is on is: The entirety of this suggested Plan Change 29

To keep builds no higher than 3 stories.

For neighbouring properties to be asked to give their say on a build within 2-50 meters of their property.

Density of people in housing is a major mental health hazard.

I say that to have density of people/housing this will effect people severely/immensely.

Business NZ and Southern Cross Health Society in 2017 said stress and anxiety in the workplace in the western world has increased dramatically in the last few years. At an NGO conference 2023, I attended recently, The CEO of Whenua Iti announced the suicide rate is higher than people being killed on the roads!

I would like NCC to purchase more green space within the depth of these suburbs, for mental health, such as Maire Stream valley, Tahuna Hills. For NCC to go ahead with taking back from the developer KB Construction, the top end of the valley of Maire Stream. This would complete NCC land on all sides. This was the promise in 2018 by NCC Freshwater Division that in 10 years if KB Quarries hadn't given this land back, NCC would take it back.... This Maire Stream valley is a god given gift for Our Community to go to for solace. Right in the heart of suburbia. This piece of Council land can grow. Where people can go walking, have picnics, biking/mountain biking, to sit, dream and do some Forest Bathing (Green Bathing)-This Japanese practice that more western communities are utilizing, is a process of relaxation, known in Japan as Shinrin Yoku. The simple method of being calm and quiet amongst the trees, observing nature around you whilst breathing deeply can help both adults and children de-stress, boost health and wellbeing in a natural way. The Maire Stream Guardians/Nurturers are enriching this areas biodiversity for all flora, fauna and community.

To inspire people to care for and have a respect of our natural environment.

Save Maire Stream valley from any/density housing. NCC, get it back from the developer KB Construction! And grow Nelson Society healthier!

Sincerely

Anne Dickinson

Anne Dickinson

\$559

Voided

Online submission

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

Submitter No.	S560
Submitter Name	Jane Bayley
Submitter first name	Jane
Submitter surname	Bayley
Submitter is contact	Yes
Email	bayleyjr3@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
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Subdivision	Residential Zones	Oppose in part	There is already a fraught balance around the Rural / Residential Boundary with no specific setbacks for building or housing. Currently along the rural boundary we often find residential people walking dogs along the rural fences or through paddocks. This scares stock and has resulted in death of animals. There is also a conflict with increased residential activity against rural boundaries in relation to shelter belt maintenance, stock noise and smell, machinery and sprays. The Council should not be encouraging the intensification of housing against the rural boundaries by having General Residential Zone against the Rural Boundary. Council should be providing a size and shape factor against the rural boundary and dwelling setbacks to allow rural properties to be able to continue their rural activities. Something similar to TDC, being 1,000m2 with at least a 25m offset for dwelling	Oppose a reduction in allotment size adjacent to Rural Property REr.107.2.f. Seek Council consider a buffer 1000m2 sections
Residential Zones	General Residential Zone	Oppose	Oppose the increase to permitted building height from 7.5m to 8m. The current height restriction is appropriate for the residential zone to be able to build a 2 storey dwelling without impact daylight or privacy of neighbours. Retain 7.5m height control as a permitted standard.	Oppose increased height in REr.17.J retain 7.5m height

Residential Zones	Medium Density Residential Zone	Oppose in part	Oppose the increase to permitted building height from 7.5m to 11m (or higher with roof pitch) Council should have a definitive level rather than a potential averaging level for roof pitch. This is a major consideration if someone used the rolling height assessment and a averaged roof assessment. Based on a 0.5 Freeboard and 2.75m between floors with a shallow roof pitch, 10m should be the maximum figure required if Council wants to pursue a 3 storey unit. Anything higher then being a Discretionary activity	Oppose building height in REr18.J reduce to 10m with no roof pitch averaging
Residential Zones	High Density Residential Zone	Oppose in part	Oppose the increase to permitted building height from 7.5m to 19.5m Council have identified a number of areas within Flood zones, Fault hazard zones and around the Cathedral (former Pa site) which they consider appropriate for high density and increased up to 6 storey units I do not support the increase of dwelling heights in the High Density Zone to 6 storeys but consider that this should be limited to 3 storeys, as per my submission on REr18.J with a max permitted building height of 10m. Density is able to be dealt with by way of number of units, not height. Increased height levels should be limited to within the City's "Square" Limit maximum building height to 10m	Oppose height levels in REr.19.J reduce to 10m

Residential Zones	General Residential Zone	Oppose	Sunshine hours within a property is considered in NZ to be a common right. Around NZ this has historically be achieved through using adjustable angles based on the property boundary positions. The proposal removes this and is creating a higher angle and a 360 common angle which does not take into the effects of the suns pattern Council is failing its community by reducing daylight angles in a city which prides itself and markets itself on being the sunshine capital. Seek to retain the existing daylight angles for the General Residential Zone.	Oppose Amended Daylight Angles in RE17.K. Seek to retain existing angles
Residential Zones	Medium Density Residential Zone	Oppose in part	Sunshine hours within a property is considered in NZ to be a common right. Around NZ this has historically be achieved through using adjustable angles based on the property boundary positions. The proposal removes this and is creating a higher angle (60 degrees starting a 4m) does not take into the effects of the suns pattern Council is failing its community by reducing daylight protection in a city which prides itself and markets itself on being the sunshine capital. Seek to replace with starting at 4m and a 45 degree angle	Oppose REr18.K and reduce this to 45 degrees starting at 4m

Residential Zones	High Density Residential Zone	Oppose in part	Sunshine hours within a property is considered in NZ to be a common right. Around NZ this has historically be achieved through using adjustable angles based on the property boundary positions. The proposal removes this and is creating a higher angle (60 degrees starting a 12m) does not take into the effects of the suns pattern Council is failing its community by reducing daylight protection in a city which prides itself and markets itself on being the sunshine capital. Seek to replace with starting at 4m and a 45 degree angle	Oppose REr19.K, replace with recession plane starting at 4m and 45 degrees
Residential Zones	High Density Residential Zone	Oppose in part	Nelson has a number of hazards and enabling intensification within hazard areas is short sighted and should be avoided. Nelson also has a special cultural site at Piki Mai / the Cathedral. Over development and dominance from tall structures around that will have an impact on both the spiritual and cultural aspect of this site and should be avoided. NCC once had a priority of recognising and seeking to retain its history. PC 29 totally ignores this by changing the density of what is currently low density into high density. Taking a concentric circle to determine planning zones is not considering the effects on the local community, its heritage, its risks or its areas of cultural importance. I consider it poor and unconsidered planning.	Oppose High Density within Flood Zones, Fault Zones and in the Dress Circle around the cathedral. Retain within existing density and allotment size in these areas

Inner City and Fringe Zones	City Fringe Zone		A loss of our inner city industrial zone will push these activities out of Nelson This is a loss of jobs and a central focus within our city pushing businesses out to stoke or richmond is a loss to our business hub which will begin the social decline of the city Retain an industrial area	Oppose the loss of Industrial Area between Vanguard and St Vincent Street. Seek to retain Industrial Zone
Transport	Transport rules	Oppose in part	Council has not formulating a parking plan for Nelson Removing the need for parking will result in chaos on the streets with vehicles blocking the roads preventing emergency vehicle access, particularly on local roads/lanes etc Except in the Inner City and Fringe require one on site park per residential unit Also enable structures within road reserve to enable off street parking	Oppose removing the need for on site parking. Seek one on site park per residential unit within existing residential, general/med/high density
Residential Zones	Other	Oppose in part	Council's premise for PC29 is densification through increasing building height, however other than increasing the number of residential units to 3, has shown no planning provisions for intensification Support General Residential having 3 units per allotment provided one on site park per unit. Recommend that Medium Density (3 storey) consider density at 4 units per allotment provided one on site park per unit. Recommend that High Density (with a reduced 3 storey) consider density at 6 units per allotment provided one on site park per unit and one loading bay	Enable increased residential units within medium and high density zones

Heritage	Heritage schedule	Oppose in part	Seek heritage retention of : Broadgreen house Founders Park Melrose House Isel House Wakapuaka Cemetery Rocks Road heritage prescient	Oppose the removal of heritage areas
Residential Zones	Medium Density Residential Zone	Oppose in part	Intensification within Heritage Precincts should not be a permitted activity. Some intensification may be possible however this should be considered on a case by case basis and not a permitted activity	Oppose medium density in Heritage Precincts - retain existing zoning
Transport	Transport rules	Oppose	The number of showers required within a working premise is a building code matter and should not be included in the NRMP Delete AP10.4B	Oppose AP10.4B - Delete as this is not a planning matter but a building code matter

Online submission

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

Submitter No.	S561
Submitter Name	Kirsten Brown
Submitter first name	Kirsten
Submitter surname	Brown
Submitter is contact	Yes
Email	kirsten.g.brown@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	Coast inundation	Support in part		AD11.3.1 – Natural Hazards Overlays With respect to inundation, the Inundation Overlay identifies areas of inundation based only on historic observed data. Is inundation due to sea level rise included in the Flood Hazard Overlay? It is not clear where inundation due to sea level rise is included in the Natural Hazard Overlays, but it must be included if it is not already.

Natural Hazards/Climate Change	Slope Instability	Support in part	DO2.2.17 - Slope Instability Areas 2 and 3, and debris run-out area: subdivision, use and development I am supportive of site-specific geotechnical works informing subdivision where slope instability risks are present and potential future uses may be affected by, or exacerbate, said risks. It appears in Objective (1), and in associated overlay rules, that a site-specific geotechnical assessment will be an automatic requirement of any application for subdivision, irrespective of the existing or potential uses. Geotechnical engineers / engineering geologists in the region are currently very busy. A very large percentage of the land within Nelson is placed within a Slope Instability Area, with the majority being in Slope Instability Area 3, (ie.; <i>potentially</i> susceptible to slope instability). It is my hope that the scale of the investigations required will be appropriate for the level of risk associated with the proposed use / development at each given site.
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Residential Zones	High Density Residential Zone	Oppose in part	As stated previously, in general, I am supportive of increased residential density in Nelson. A reasonable increase in residential density in the city centre and city fringe area would improve its vibrancy – something the city centre is currently very much lacking. It would also serve to limit sprawl, preserve rural land, and provide a wider variety of housing choices (something that is also currently lacking). I believe these are all worthy objectives. I do, however, think that the measures proposed by Plan Change 29 to enable these objectives are slightly too extreme. The desired objectives of increasing density in Nelson and making the city a compact and vibrant place to live can still be achieved without giving up daylight access, outlook, and city character. A realistic level of future growth must be considered for Nelson, and I think the proposed Plan Change is considering growth well beyond what is realistic. It is prioritising density and development too strongly and ignoring the adverse effects that these may have on existing character and amenity that have, and will retain value, for current and future residents. Objective DO15.1.1 encourages, <i>"development in suitable locations within the urban area to support an increase in the density and diversity of housing supporting activities in accessible locations."</i> While I only have slight reservations about the building coverage, heights, and several other rules that are proposed for the high-density zone, I do not think the proposed zone boundaries are always suitable. The high-density residential zone should be smaller. It need not extend south of Bronte Street, nor is it appropriate for the area bounded by Franklyn Street and Locking Terrace, or in Nelson South between Motueka and Tukuka Streets. The medium
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TURAKA STREETS. THE MEDIUM density residential zone is more appropriate for these areas. If the high-density residential zone extends too far outside of the city centre, Nelson risks losing its "heart" even more so than it is already struggling to maintain it. Classifying these areas as high-density residential would counter the objective of making the Nelson CBD the "compact and vibrant centre" desired by DO14.2. I urge Council to retain more discretion over high-density development proposals in these areas.

Residential
Zones

High
Density
Residential
Zone

Amend

I will add to this by stating that I have happily lived in apartment buildings overseas where daylight access was very limited. However, I cannot emphasise enough that the standard of these apartments in which I lived were far better with respect to insulation, glazing, central heating / cooling, and soundproofing. While I have been in countless warm, dry, quiet, and pleasant apartments and townhouses overseas, I have yet to see any that are built to the same standard here. Homes in New Zealand, even new builds in Nelson, depend on sunlight to keep them warm, dry, and free of mould.

REr.19K – Daylight access in the high-density residential zone

Nelsonians place a huge amount of value on daylight and sun; this is what the city is known for, and why many people relocate here. The proposed plan change does not reflect these values. Daylight admission rules in the high-density residential zone run the risk of not permitting sufficient daylight. First-floor apartments in new developments will not receive adequate daylight in some settings and neither would existing neighbouring single or two-storey dwellings. The 23.5m distance from the road frontage for building envelopes could feasibly be reduced. Alternatively, and perhaps preferably, a daylight / sunlight assessment could be a requirement for certain sites where new development would have significant negative impacts on the daylight access to neighbouring properties. The requirements for such an assessment could be triggered by slope and / or aspect to ensure all dwellings receive an adequate amount of winter sun.

Entire Plan Change	General opposition	Amend	Policy RE1.2 – Flexibility in Development I am quite concerned that the requirement for new / intensifying development to avoid significantly affecting the views and outlook from adjacent properties has been struck out completely. Access to some degree of a view, the sky, and / or green space are very important to support good mental health. The consideration of views, outlooks, and green spaces needs to be even more carefully accounted for when planning for higher residential density to avoid “concrete jungle” or “Soviet” like outcomes. While a property’s outlook may be compromised by intensification, controls must remain to make sure it is not destroyed entirely. Completely omitting the requirement to consider the outlook of neighbouring sites also has the potential to significantly decrease property values. In some situations, this may unfairly disadvantage existing landowners / mortgage holders while lining the pockets of large-scale property developers.
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Documents included with submission

Document name	Submission on Proposed Plan Change 29 - Kirsten Brown
File	s561 kbrown submission.pdf
Description	

Inner City and City Fringe Zones	Inner City Zone	Support	I am very supportive, and even excited about, of permitting development up to 24m in the Nelson City Centre, especially if it would permit residential activity above shops, cafes, and businesses. This would inject life into a city centre that is currently quite sleepy.
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Inner City and
City Fringe
Zones

City Fringe
Zone

Amend

I do think that the Vanguard / St Vincent Street area of the City Centre "Fringe", however, should still be considered under a separate set of City Fringe rules. I think a 24m permitted building height in this area would have significant adverse effects on the street level dwellings on Vanguard and St Vincent Streets in terms of daylight admission and outlook. It is not an overly wide valley, and some degree of control should be retained in order to prevent a claustrophobic feel developing in the floor of the valley. The 19.5m maximum building height is more than enough here. I am also concerned about intensive development being so easily permitted in an area that is classified as being subject to high flood hazard and inundation. This is counter to the other, good natural hazards controls in the plan. If there was a "Comprehensive Area" for the inner city zone, similar to that proposed for some residential areas, I think it would be well-suited for the Vanguard / St Vincent Street area. I think Council should retain more discretion for development in this area to guide its gradual evolution from semi-industrial into a good, desirable, prosperous, and multi-use extension from the city centre.

Entire Plan
Change

General
support

Neutral

I am in support of the way that the proposed plan change has greater regard for the risks posed by natural hazards and the effects that these land use and development. In general, I am also supportive of the objectives to increase residential density in Nelson City, create a more vibrant city, reduce sprawl, and provide a greater variety of living opportunities, however there are some specific objectives, policies, and rules with respect to the residential zones that I do not agree with and think should be reconsidered. These are detailed in other points in my submission.

My final ask is that Council, when developing their zoning and rules, please bear in mind that the nature of development in New Zealand over the last 10 – 15 years has tended toward maximising profit at the expense of quality structures and living environments and innovative, sustainable development solutions. I do not wish to be heard regarding any of the above matters, but I do hope that Nelson City Council considers my submission. Thank you very much.

Kirsten Brown

kirsten.g.brown@gmail.com

Nelson City Council
PO Box 645
Nelson 7040

Re: Nelson City Plan Change 29 – Housing and Hazards Plan Change

Please accept my submission on the proposed Nelson City Plan Change 29. I am in support of the way that the proposed plan change has greater regard for the risks posed by natural hazards and the effects that these land use and development. In general, I am also supportive of the objectives to increase residential density in Nelson City, create a more vibrant city, reduce sprawl, and provide a greater variety of living opportunities, however there are some specific objectives, policies, and rules with respect to the residential zones that I do not agree with and think should be reconsidered.

AD11.3.1 – Natural Hazards Overlays

With respect to inundation, the Inundation Overlay identifies areas of inundation based only on historic observed data. Is inundation due to sea level rise included in the Flood Hazard Overlay? It is not clear where inundation due to sea level rise is included in the Natural Hazard Overlays, but it must be included if it is not already.

DO2.2.17 - Slope Instability Areas 2 and 3, and debris run-out area: subdivision, use and development

I am supportive of site-specific geotechnical works informing subdivision where slope instability risks are present and potential future uses may be affected by, or exacerbate said risks. It appears in Objective (1), and in associated overlay rules, that a site-specific geotechnical assessment will be an automatic requirement of any application for subdivision, irrespective of the existing or potential uses. Geotechnical engineers / engineering geologists in the region are currently very busy. A very large percentage of the land within Nelson is placed within a Slope Instability Area, with the majority being in Slope Instability Area 3, (ie., *potentially* susceptible to slope instability). It is my hope that the scale of the investigations required will be appropriate for the level of risk associated with the proposed use / development at each given site.

Residential Zoning

As stated previously, in general, I am supportive of increased residential density in Nelson. A reasonable increase in residential density in the city centre and city fringe area would improve its vibrancy – something the city centre is currently very much lacking. It would also serve to limit sprawl, preserve rural land, and provide a wider variety of housing choices (something that is also currently lacking). I believe these are all worthy objectives. I do, however, think that the measures proposed by Plan Change 29 to enable these objectives are slightly too extreme. The desired objectives of increasing density in Nelson and making the city a compact and vibrant place to live can still be achieved without giving up daylight access, outlook, and city character. A realistic level of future growth must be considered for Nelson, and I think the proposed Plan Change is considering growth well beyond what is realistic. It is prioritising density and

development too strongly and ignoring the adverse effects that these may have on existing character and amenity that have, and will retain value, for current and future residents.

Objective DO15.1.1 encourages, *“development in suitable locations within the urban area to support an increase in the density and diversity of housing supporting activities in accessible locations.”* While I only have slight reservations about the building coverage, heights, and several other rules that are proposed for the high-density zone, I do not think the proposed zone boundaries are always suitable. The high-density residential zone should be smaller. It need not extend south of Bronte Street, nor is it appropriate for the area bounded by Franklyn Street and Locking Terrace, or in Nelson South between Motueka and Tukuka Streets. The medium density residential zone is more appropriate for these areas. If the high-density residential zone extends too far outside of the city centre, Nelson risks losing its “heart” even more so than it is already struggling to maintain it. Classifying these areas as high-density residential would counter the objective of making the Nelson CBD the “compact and vibrant centre” desired by DO14.2. I urge Council to retain more discretion over high-density development proposals in these areas.

REr.19K – Daylight access in the high-density residential zone

Nelsonians place a huge amount of value on daylight and sun; this is what the city is known for, and why many people relocate here. The proposed plan change does not reflect these values. Daylight admission rules in the high-density residential zone run the risk of not permitting sufficient daylight. First-floor apartments in new developments will not receive adequate daylight in some settings and neither would existing neighbouring single or two-storey dwellings. The 23.5m distance from the road frontage for building envelopes could feasibly be reduced. Alternatively, and perhaps preferably, a daylight / sunlight assessment could be a requirement for certain sites where new development would have significant negative impacts on the daylight access to neighbouring properties. The requirements for such an assessment could be triggered by slope and / or aspect to ensure all dwellings receive an adequate amount of winter sun.

I will add to this by stating that I have happily lived in apartment buildings overseas where daylight access was very limited. However, I cannot emphasise enough that the standard of these apartments in which I lived were far better with respect to insulation, glazing, central heating / cooling, and soundproofing. While I have been in countless warm, dry, quiet, and pleasant apartments and townhouses overseas, I have yet to see any that are built to the same standard here. Homes in New Zealand, even new builds in Nelson, depend on sunlight to keep them warm, dry, and free of mould.

Policy RE1.2 – Flexibility in Development

I am quite concerned that the requirement for new / intensifying development to avoid significantly affecting the views and outlook from adjacent properties has been struck out completely. Access to some degree of a view, the sky, and / or green space are very important to support good mental health. The consideration of views, outlooks, and green spaces needs to be even more carefully accounted for when planning for higher residential density to avoid “concrete jungle” or “Soviet” like outcomes. While a property’s outlook may be compromised by intensification, controls must remain to make sure it is not destroyed entirely. Completely omitting the requirement to consider the outlook of neighbouring sites also has the potential to significantly decrease property values. In some situations, this may unfairly disadvantage existing landowners / mortgage holders while lining the pockets of large-scale property developers.

Inner City Zone and "City Fringe"

I am very supportive, and even excited about, of permitting development up to 24m in the Nelson City Centre, especially if it would permit residential activity above shops, cafes, and businesses. This would inject life into a city centre that is currently quite sleepy. I do think that the Vanguard / St Vincent Street area of the City Centre "Fringe", however, should still be considered under a separate set of City Fringe rules. I think a 24m permitted building height in this area would have significant adverse effects on the street level dwellings on Vanguard and St Vincent Streets in terms of daylight admission and outlook. It is not an overly wide valley, and some degree of control should be retained in order to prevent a claustrophobic feel developing in the floor of the valley. The 19.5m maximum building height is more than enough here. I am also concerned about intensive development being so easily permitted in an area that is classified as being subject to high flood hazard and inundation. This is counter to the other, good natural hazards controls in the plan. If there was a "Comprehensive Area" for the inner city zone, similar to that proposed for some residential areas, I think it would be well-suited for the Vanguard / St Vincent Street area. I think Council should retain more discretion for development in this area to guide its gradual evolution from semi-industrial into a good, desirable, prosperous, and multi-use extension from the city centre.

My final ask is that Council, when developing their zoning and rules, please bear in mind that the nature of development in New Zealand over the last 10 – 15 years has tended toward maximising profit at the expense of quality structures and living environments and innovative, sustainable development solutions. I do not wish to be heard regarding any of the above matters, but I do hope that Nelson City Council considers my submission. Thank you very much.

Sincerely,
Kirsten Brown



31 October, 2023

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

OFFICE USE
Submission No: S562
Date Received Stamp: 30/10/23
NDOCs No: 539570224-16910

*Required

Submitter Details

Full Name*	Hugh Rodney SHORT		
Organisation	N/A		
Contact Person	Hugh short		
Postal address*			
Telephone*	Email*	hugh-mary.short@xtra.co.nz	

Trade Competition*

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

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

Council Hearing*

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

Public information

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



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

30/10/2023

Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

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

My submission is*:

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

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

See attached ~~submit~~
submission 

Note:

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

Submission from

Our submission is:

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

Reasons

1. Public Engagement and Consultation

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

2. Legal requirement

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

3. Definition of Environment

3.1 We understand that:

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

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

The Purpose of the RMA is

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

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

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

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

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

4. Visual and physical dominance effects

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

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

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

- **Objective RE2 (Residential Character):** "An environment that is principally residential in character."
 - **Policy RE2.4 (Privacy and Outlook):** "The location and design of buildings should not unduly compromise outlook and privacy of adjoining development and should have regard to the character of the area."
 - **Policy RE2.5 (Scale):** "The size and scale of buildings should be compatible with the character and amenity of the residential area."
 - **Objective RE3 (Streetscape, landscape, and natural features):** "Attractive streetscapes, and the maintenance and enhancement of those significant public views, natural features, and landscapes that contribute to Nelson's character and setting."
 - **Policy 3.5 (Streetscape):** "Sites, buildings, fences and landscaping fronting onto roads should present an appearance which enhances the overall streetscape, and maintains the open, landscaped character of front yards that is typical of Nelson. Hard landscaping including car parking, should be minimised. The design of buildings, structures (including fences), roads and parking spaces (in front yards and on the street) should assist in making streets safer environments by enhancing informal surveillance, enabling community interaction, and being people-orientated."
- Council's consideration of current resource consents applications in the Lower Density Area review the potential for adverse visual and physical dominance effects. That which is proposed by Plan Change 29 will have substantial visual and physical dominance effects and not retain the streetscape and residential amenity of the wider environment.

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

5. Risk management

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

6. Non-notification issues

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

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

7. Delivery of a well-designed City

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

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

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

8. Retaining City's unique character

8.1. For the majority of homeowners investment in their home is by far their largest asset. To propose changes that will occur randomly and potentially affect the value of their asset is an action of the Council which ignores the needs of the existing residents.

8.2. We and the majority of other Nelson residents that we have spoken with confirm that they live in Nelson because of its unique character. That consists of a mix of heritage buildings, generally low rise (maximum 2 storeys) residential development, flora and fauna in abundance and access to sunshine in their homes throughout the year.

9. Good quality urban design

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

10. We seek the following decision from the Council:

- a) Reconsider Proposed Plan Change 29 densification and intensification of the City and whether the Council (as a Tier 2 council) has a legal obligation to make this Plan Change 29 at this time.
- b) Amend the proposed residential zones to two zones (one High Density Zone and the other General Residential Zone) i.e. a much smaller area for higher density residential construction centred in the current Inner City Centre and City Fringe areas.

- c) Align management of intensification and densification of development using the Pareto Management Principle by looking for 20% of the area where 80% of the developments will occur. This leads to development being managed centrally within the current Inner City Zone and not covering a wide area of the proposed Medium and High Density Zones. This provides higher residential accommodation close to commercial activity and the Nelson Transport Hub. There will be some specific sites outside this Zone where the remaining 20% of development can occur. The parameters for identifying such sites should be included in the NRMP.
- d) Create a General Residential Zone that includes the remaining areas with the NRMP current rules and allow for 3 unit intensification up to two storeys on some adequately sized sites. There will be specific sites throughout the City where effects can be mitigated and where higher buildings can be accommodated and developed following resource consent approval with the opportunity for any affected parties to make submissions. This is all about Council managing the development of the City (one of its core tasks), not passing the initiative to other parties, and therefore minimising unintended or unacceptable consequences.
- e) Complete a Residential Spatial Plan that concentrates higher buildings in the Inner City and quickly reduces building heights as you radiate out from the Inner City. Generally align with the height limits that currently exist under the NRMP and enable growth of compliant development in those areas through increased coverage or site specific allowed higher development. For this process consider using a Collaborative Process that involves representatives with diverse views (e.g. Twyford's collaborative governance process "the Power of Co"), that tests the aims and objectives of the proposed Plan Change, using independent urban designers with input from the community (not just the Planners, community focus groups and others previously involved in preparation of this Plan Change 29).
- f) Consider and take account of the effect of Plan Change 29 outcomes as it affects the environment through avoiding, remedying, or mitigating any adverse effects of

activities on the environment and in particular those effects on people and communities.

- g) Introduce an Urban Design Panel to work with and assist developers create good quality design outcomes in keeping with the City's form.
- h) Include planning for development in areas excluded from Plan Change 29 e.g. The Wood by enabling development to occur that considers and mitigates the effects of known natural hazards and provides appropriate residential solutions that enable intensification and densification in these zones also. This development would support greater use of bus transport due to its close proximity to the Inner City and the relocated Bus Hub at the river's edge.
- i) Take a progressively phased approach by firstly allowing intensification in the Inner City Centre and City Fringe area (where 80 % of such development will occur) and allow increased two storey development on appropriate sized sites throughout the rest of the city. Opportunities for greater high rise development in the Residential Zone (greater than two storeys) could be introduced when these type of developments are known to be required. This would occur following more robust assessment to define specific areas and appropriate controls for this type of development.

Online submission

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

Submitter No.	S563
Submitter Name	Meagan O'Brien
Submitter first name	Meagan
Submitter middle name	Jane
Submitter surname	O'Brien
Submitter is contact	Yes
Email	madhumita333@yahoo.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		

I've been really stressed out for the last few months hearing about the proposed plan changes that would allow one of these ugly 6 story buildings to land right across the road from us and the implications it would have for our family and neighbourhood.

<https://www.stuff.co.nz/.../how-a-sixstorey-pod-building...>

It is planned for a 70 unit social housing apartment to be built across the road. The units would have 1.5 bedrooms each so would be for single people with social issues, not families. Already Kainga Ora own the land and have vacated the senior citizens from the single story units currently there. Notice in the video in the link above that the units are made in Vietnam!

I'm super grateful that we have Mel Courtney in the council- he is a voice of rationality, care, and wisdom on this issue. Here is a meeting he spoke at recently - he starts speaking at 8:20. https://www.youtube.com/watch?v=AtA8_SyJ3Ps I highly recommend watching at least the 10 minutes that he speaks.

Unfortunately, as you will see in this article <https://www.rnz.co.nz/.../bid-to-ditch-nelson-housing...> he didn't succeed in stopping the plan change just yet, but even Mayor Nick even voted in favour of ditching it once he actually read what it said and got some community feedback. The proposed plan change for Nelson - plan change 29- will mean that in some areas (including where I live), anyone can build up to 6 stories without resource consent or neighbour approval, even if it means that the neighbours (and their neighbours and the next ones over too) will be completely shaded the entire winter. So it is set to make property developers super rich and current residents super poor (as it has been shown that living next to one of these will easily knock \$100k plus off your house value- even 20-50% of it's value).

I don't want to be selfish- I know that people need homes to live in. But everything tells me that this is not the way to go about it. I am concerned that I will be looking out at an ugly building

I would like you to delete the whole plan as it stands and start again, firstly with community consultation so that a future plan is embraced by the community and the plan enhances Nelson and all of its residents culturally, economically, socially, psychologically and spiritually.

These are the points I want you to consider:

I have not had the time to read and digest the plan and it is far too long and inaccessible for someone like me who doesn't have a background in law or planning. I didn't even get through reading the definitions. So my submission is based on what little I have heard.

By creating the plan without first consulting the community and creating a plan based on OUR VALUES has created a huge anxiety and unrest in people's minds and some of us unable to function properly. If the ideal of this plan is to increase the wellbeing of people in Nelson, this proposed plan change has done exactly the opposite.

While I agree that everyone should have a healthy affordable home to live in the

rather than the view of the grampians that we have currently (a sense of space and being able to see nature is really important to me for my mental wellbeing, that's why we chose our house). The people living in the apartment will also potentially be able to see in our kids' windows, their visitors take up all of the parking spaces. The units would be for people without cars so they don't have to provide any parking space, so there would be nowhere provided for their visitors to park. Our driveway is too difficult for most, so this will make it hard for my music students and any guests we have to get a park anywhere nearby as it's already quite limited. If the apartments are smoke free there will probably be people smoking on the street or in the playground. It gives me a sense of insecurity thinking about the possibility- I feel quite safe raising a family in my neighbourhood right now, I don't imagine I will anymore if this happens as planned. I have met with others in the neighbourhood and nearly everyone is very concerned, stressed, anxious and most are not in a position to just move out.

I'm sure there's another way to manage the housing issue- building places in Vietnam and then shipping them here isn't exactly a model of sustainability on any level- not good for our economy, planet or workforce.

And I'm sure that if we all come together we can find some solutions that will help families into their own home without having to destroy our neighbourhoods. I like the idea of de-centralisation- revitalising the towns by creating employment in those areas so that there are enough kids for the country schools to keep running. People like me don't live in the city by choice, I'm sure there are some others in the same boat who would willingly live in smaller towns or the countryside if it was possible and we could make ends meet there. And don't let people who live overseas and aren't even a resident here to buy property. That would make it easier for kiwis to buy their own home. I think a limit to the number of houses that people can own

way about doing this should not be done in a way that takes away from the people already living in those areas.

Some of the negative impacts that this has on the current residents are:

1) Financial insecurity- many home owners like myself are not actually well off financially, and it is known that living next to a high rise building will lower the resale value of the home. This means that if people want to sell, they will have to take a mortgage to get an equivalent house in a different area, even though they paid premium rates for being so close to the city. This extra \$100k-\$200k or more relates to DECADES of additional mortgage payments. For the people in these areas who are retired or are nearing retirement, this blow could set them back irreversibly, which is completely unfair.

Any plan that is made will need to allow for compensation to current tenants and house owners for increased heating bills and reduced resale house value.

2) No-one moved to Nelson for the reason that they liked high-rise buildings. If we

would also help- how many houses does each person really need? and how many are remaining empty while others sleep on the street?

liked them, we would have moved to Auckland or Shanghai. But even those places would be better off because the sun angle is higher than Nelson. So this plan goes against nearly every citizen of Nelson, even the ones who still haven't heard about this proposed plan change and realised the implications it will have for them. This proposed plan will change the entire landscape of Nelson and in my mind not for the better.

3) Connection to nature is an important part of wellbeing. Being able to see nature including the hills, all different shades of green trees, and a spacious view of the sky and sunset makes me feel happy. Looking at a concrete building makes me feel claustrophobic and increases anxiety. If this plan change goes ahead my view of all of these things will be stripped away and I will be looking into concrete. This will be the same for many others.

4) Sunshine is important for people's moods. Being shaded by a building increases heating costs, reduces solar power capacity, decreases the amount of time that people spend outside getting fresh air and makes

them depressed and lowers their immune system due to lowered vitamin D. Having high buildings in current residential zones is not a good plan.

I propose that if a building will affect the sunlight in a neighbouring property that full written consent will be required from affected parties prior to building.

5) Car parking is already very difficult where I live (on the corner of examiner St and Wellington St). I have music students who have to carry their instruments to my house for their lessons. They park on Wellington St because my driveway is not an easy one to navigate. By allowing for multi-storey buildings without requiring car-parking for residents AND THEIR GUESTS will be disastrous in this area, and may mean that people have to walk very far to visit us or have their lessons. This will create more isolation and economic disadvantage. This will be similar for other residents in my locality.

6) Reduced privacy. We are accustomed to a certain level of privacy and pay accordingly when purchasing a property.

The proposed plan change will dramatically change this.

I propose that written permission is required from all affected parties where building that is planned will affect their privacy.

7) Social housing. I have worked in a social worker role before, so I understand the needs of people to have a house to live in. I also understand some of the stresses and situations that lead people into homelessness as well as the associated issues. While I love supporting these people, I chose not to live next to Franklyn village as I wouldn't feel safe raising a family next door to place like this. Franklyn village can evict tenants if necessary. I have heard that tenants in social housing developments cannot be evicted, so that they are actually worse to live next door to somewhere like Franklyn village. If Kainga Ora places are smoke free then where are the residents and their guests going to smoke? Probably on the street. This will make me feel unsafe with my children travelling to and from school.

Documents included with submission

None

The associated crime rate will likely increase too, and this doesn't help for mental peace.

8) One model for building that Kainga Ora are using is importing pre-fabricated buildings from Vietnam and building them up like lego. This is completely unsustainable, bad for the environment, disgustingly ugly and utterly illogical.

Proposed solutions:

I suggest that areas are identified for intensification that will have the LEAST IMPACT. That is where there aren't already residents living who will be affected. Areas where people CHOOSE to live because they want to live in areas of high density housing. If there are people who will be affected, then compensating them accordingly. But start with consultation.

I suggest that a de-centralised approach is encouraged. Instead of trying to make space for millions more in central Nelson, encourage small town growth by supporting businesses that can offer employment opportunities so that people can live and work rurally if they wish. Schools like

Dovedale school are almost closing because of lack of students. Focus on re-vitalising these areas.

I suggest that there be some regulations included for new developments that requires trees to be planted around the outsides and taken care of so that Nelson doesn't become a concrete jungle. New buildings should also be aesthetically pleasing.

And I have run out of time now so I will paste below in the reasons what I wrote recently.

Online submission

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

Submitter No.	S564
Submitter Name	Helen McCubbin
Submitter first name	Helen
Submitter middle name	Ann
Submitter surname	McCubbin
Submitter is contact	Yes
Email	mindfulmccubbin@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 in part	I do not agree with building multiple storey buildings on a hillside which might compromise the slope stability and increase the risk of slips. The roads around the neighborhood are certainly not great for street parking, they are very narrow and increasing housing density would then increase the need for more street parking. There have been traffic calming measures put in place because of the traffic which has been great and has certainly reduced traffic flow. I also have concerns about the stormwater and how that would cope with greater density of housing.	Tahunanui hill side designated as General residential, not Medium and High Density Resident

Online submission

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

Submitter No.	S565
Submitter Name	James McPhie
Submitter first name	James
Submitter surname	McPhie
Submitter is contact	Yes
Email	james.mcphie@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	Amend	Whilst in a different location in the last week I was taken with the rebuild and the planning of streets and access to public green space. It felt good as a pedestrian with ample space to relax / as a worker with ample of green (grass) space to gain fresh air breaks from work. By taking time to correctly plan intensification, starting from the centre and moving out as time and height allows, the planning of the 'Smart Little' city would be enhanced.	Plan 29 in its current iteration I cannot support. Whilst I support intensification the study and plan presented: - is not sympathetic with the majority of the surrounding that they are included in. - Would appear to be blanket build based on bus routes and access to town. - Has not given allowance for the necessary space for recreational area given the increased residents in the area - Has not given allowance for the increased wastewater discharge. Individual area reviews should be undertaken to assess the possibilities of intensification. Certain areas do not lend itself, even to mid density. Locking Street, for example, currently has issue with regards to traffic and parking. To intensify without any provision, which is now deemed acceptable, would cause would increased traffic congestion issues. It is important to get the total planning correct as this is a once in a lifetime change which has significance on the future. As the City Centre dies from lack of visitors and quality shops it is that area that should be focused on. Getting affordable housing in the centre so that it becomes thriving rather than 6 story blocks in the middle of single units

S566

Voided

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

*Required

Submitter Details

Full Name*	Mary Frances Short		
Organisation	N/A		
Contact Person	Marn Short		
Postal address*			
Telephone*		Email*	hugh-mary-short@xtra.co.nz

OFFICE USE
Submission No: 5567
Date Received Stamp: 30/10/23
NDOCs No: 539570224-16915

Trade Competition*

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- ☐ I/we **could not** gain an advantage in trade competition through this submission.
- ☐ I/we **could** gain an advantage in trade competition through this submission. *if yes, please complete the following:*
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Council Hearing*

- ☒ I/we **do not** wish to be heard in support of my/our submission.
- ☐ I/we wish to be heard in support of my/our submission. If yes:
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Public information

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

30/10/2023
Date*

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

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

- ☐ Papakāinga
- ☐ Transport
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- ☐ Subdivision
- ☐ Other

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

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

My submission is*:

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

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

See attached submission
MDS

Note:

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

Submission from

Our submission is:

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

Reasons

1. Public Engagement and Consultation

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

2. Legal requirement

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

3. Definition of Environment

3.1 We understand that:

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

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

The Purpose of the RMA is

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

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

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

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

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

4. Visual and physical dominance effects

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

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

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

- **Objective RE2 (Residential Character):** “An environment that is principally residential in character.”
- **Policy RE2.4 (Privacy and Outlook):** “The location and design of buildings should not unduly compromise outlook and privacy of adjoining development and should have regard to the character of the area.”
- **Policy RE2.5 (Scale):** “The size and scale of buildings should be compatible with the character and amenity of the residential area.”
- **Objective RE3 (Streetscape, landscape, and natural features):** “Attractive streetscapes, and the maintenance and enhancement of those significant public views, natural features, and landscapes that contribute to Nelson’s character and setting.”
- **Policy 3.5 (Streetscape):** “Sites, buildings, fences and landscaping fronting onto roads should present an appearance which enhances the overall streetscape, and maintains the open, landscaped character of front yards that is typical of Nelson. Hard landscaping including car parking, should be minimised. The design of buildings, structures (including fences), roads and parking spaces (in front yards and on the street) should assist in making streets safer environments by enhancing informal surveillance, enabling community interaction, and being people-orientated.”

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

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

5. Risk management

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

6. Non-notification issues

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

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

7. Delivery of a well-designed City

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

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

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

8. Retaining City's unique character

8.1. For the majority of homeowners investment in their home is by far their largest asset. To propose changes that will occur randomly and potentially affect the value of their asset is an action of the Council which ignores the needs of the existing residents.

8.2. We and the majority of other Nelson residents that we have spoken with confirm that they live in Nelson because of its unique character. That consists of a mix of heritage buildings, generally low rise (maximum 2 storeys) residential development, flora and fauna in abundance and access to sunshine in their homes throughout the year.

9. Good quality urban design

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

10. We seek the following decision from the Council:

- a) Reconsider Proposed Plan Change 29 densification and intensification of the City and whether the Council (as a Tier 2 council) has a legal obligation to make this Plan Change 29 at this time.
- b) Amend the proposed residential zones to two zones (one High Density Zone and the other General Residential Zone) i.e. a much smaller area for higher density residential construction centred in the current Inner City Centre and City Fringe areas.

- c) Align management of intensification and densification of development using the Pareto Management Principle by looking for 20% of the area where 80% of the developments will occur. This leads to development being managed centrally within the current Inner City Zone and not covering a wide area of the proposed Medium and High Density Zones. This provides higher residential accommodation close to commercial activity and the Nelson Transport Hub. There will be some specific sites outside this Zone where the remaining 20% of development can occur. The parameters for identifying such sites should be included in the NRMP.
- d) Create a General Residential Zone that includes the remaining areas with the NRMP current rules and allow for 3 unit intensification up to two storeys on some adequately sized sites. There will be specific sites throughout the City where effects can be mitigated and where higher buildings can be accommodated and developed following resource consent approval with the opportunity for any affected parties to make submissions. This is all about Council managing the development of the City (one of its core tasks), not passing the initiative to other parties, and therefore minimising unintended or unacceptable consequences.
- e) Complete a Residential Spatial Plan that concentrates higher buildings in the Inner City and quickly reduces building heights as you radiate out from the Inner City. Generally align with the height limits that currently exist under the NRMP and enable growth of compliant development in those areas through increased coverage or site specific allowed higher development. For this process consider using a Collaborative Process that involves representatives with diverse views (e.g. Twyford's collaborative governance process "the Power of Co"), that tests the aims and objectives of the proposed Plan Change, using independent urban designers with input from the community (not just the Planners, community focus groups and others previously involved in preparation of this Plan Change 29).
- f) Consider and take account of the effect of Plan Change 29 outcomes as it affects the environment through avoiding, remedying, or mitigating any adverse effects of

activities on the environment and in particular those effects on people and communities.

- g) Introduce an Urban Design Panel to work with and assist developers create good quality design outcomes in keeping with the City's form.
- h) Include planning for development in areas excluded from Plan Change 29 e.g. The Wood by enabling development to occur that considers and mitigates the effects of known natural hazards and provides appropriate residential solutions that enable intensification and densification in these zones also. This development would support greater use of bus transport due to its close proximity to the Inner City and the relocated Bus Hub at the river's edge.
- i) Take a progressively phased approach by firstly allowing intensification in the Inner City Centre and City Fringe area (where 80 % of such development will occur) and allow increased two storey development on appropriate sized sites throughout the rest of the city. Opportunities for greater high rise development in the Residential Zone (greater than two storeys) could be introduced when these type of developments are known to be required. This would occur following more robust assessment to define specific areas and appropriate controls for this type of development.

Online submission

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

Submitter No.	S568
Submitter Name	Seamus O'Brien
Submitter first name	Seamus
Submitter middle name	John
Submitter surname	O'Brien
Submitter is contact	Yes
Email	pizza@woodfired.org.nz
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose		I would like the council to abandon plan change 29 and redraft a new proposal that takes into consideration the feedback from the residents whom the council has been elected to represent.

I want to acknowledge...

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

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

2) Hearing Panel

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

3) NCC's Population forecasts

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

4) Design Lead and Not Developer Lead Growth.

a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations and been a cherished holiday destination for many New Zealanders.

b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.

c) We need to protect and retain CBD historic facades as an essential part of the character of the Inner City.

d) Contemporary Black Iron Clad Boxes, built only a few metres from 120-year-old Historic Homes is completely out of character and lacks a long-term vision for maintaining the attraction of Nelson for all the future residents and visitors. See attached photo (out of character 1)

e) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.

i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts to that of areas of historic character value from the early settlement years of Nelson and stop future 'out of character' developments.

5) Sunlight Recession Planes and Shading Effects

a) Sunlight is a CRITICAL part of living in Nelson. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.

b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>

c) I am unable to find a section 32 report

regarding the winter sunlight shading effects on neighbouring properties. The daylight admission testing in the B&A memorandum dated 15/3/23 are only about maximising building bulk and height to enable increased floor plates at upper levels on a typical size section, rather than any loss of sunlight and the shading effects of a neighbour.

d) Shape Nelson Website provides misleading information on 'How PC29 could affect you' with no mention of completely losing sunlight amenity with possible total shading over the winter months. Quote:-

"Daylight admission - the maximum allowable building height decreases as the building gets closer to the side and rear boundaries, so that taller buildings leave space for daylight to get to the neighbouring properties".

e) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -

- i) Increased levels of mental health illness, anxiety and stress.
- ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
- iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
- iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing is old, with un-insulated walls and single glazing and open fires were legislated out of use many years ago.
- v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
- vi) Residents, struggling with the cost-of-living crisis may not afford to heat their home.
- vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units that COULD be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.
- viii) NCC & TDC 'Housing We'd Choose' report dated June 2021 by M.e Consulting ranks 'Sunny' as the highest preference for

housing choice in Nelson and yet PC29 will remove that amenity from its exiting residents, without warning or compensation.

(1) I ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.

(2) I strongly support the inclusion of Daylight and Sunlight policy statement Para RE2.3.i: The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided 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 no greater than 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 a 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. See attached photo (city area taken up by cars).

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) 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 Kainda 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.

Online submission

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

Submitter No.	S569
Submitter Name	Mark Sutherland
Submitter first name	Mark
Submitter surname	Sutherland
Submitter is contact	Yes
Email	mark.suth@xtra.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

Residential Zones	Other	Amend	Tasman District Council rules for intensive development work very well for all parties in that they allow higher density development of a site, but where that site shares a boundary with another property which has not been developed under the high density rules then one must comply with the lower density restrictions along the common boundary. (Refer Tasman Resource Management Plan 17.1.3 (fd). This approach to intensification allows for an increase in density over time, at an organic pace and as the market demands, while retaining the amenity for any existing, adjacent, property owners. An example of this would be: If I develop my site as high density I can increase the density broadly across the site but must comply with my neighbours lower density rules along the shared boundary, if their property was developed under low density rules. My neighbour continues to enjoy daylight, building setbacks and outlook as they do currently. In years to come my neighbour could choose to develop their site from low density to high. They could then utilise high density rules along our common boundary because I have already developed as high density. On other boundaries they would utilise high or low density rules depending on the status of their other neighbours. Incrementally the density of property use would grow and it would be possible for clusters of higher density developments to grow together, while protecting existing, surrounding, lower density property. This approach, utilised in the Richmond Intensive Development Area, would appear to be a fairer and more equitable approach to intensification for the existing property owners of Nelson, than the current proposed plan change 29 which puts all and every property owner within Medium and High Density zones at risk of losing their amenity.	Insertion of rules to protect the amenity of an existing standard density property by way of requiring adherence to the lower density rules along a common boundary, while retaining the ability to increase density at an organic rate over time.
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Mapping

Rezoning

Oppose in part

The inclusion of a small island of medium and high density rezoning on the moderate to steep hillside does not seem to take into consideration that the topography of the hillside will exacerbate the impact of the relaxed daylight angles over nearby properties, not just neighbouring properties.

A property sited at a higher elevation and complying with its own boundary angle may, due to hillside topography, have a greater impact than usual on a property one or two properties over which more often than not, will be at a lower elevation.

Daylight angle restrictions applied to developments on flat ground sites would usually have less impact on adjacent properties than when the same restriction is applied to a development on a moderate to steep hillside where the ground level, the reference point for the restriction, varies so widely across a distance of just a property or two.

Rezoning the above mentioned area to General Residential, rather than Medium and High Density, would still allow some intensification from the status quo, albeit with a reduced loss of daylight amenity.

Remove the small area of rezoning to Medium and High Density on the Tahunanui hillside bordered by Stansell Avenue at the north, Rangiora Terrace to the east, Maire Street to the South and Tahunanui Drive to the west. Rezone to General Residential as per the adjacent hillsides.

Online submission

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

Submitter No.	S570
Submitter Name	Disability Connect
Submitter Company/Group Name	Disability Connect
Submitter is contact	Yes
Email	admin@disabilityconnect.org.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 Zones	Other	Amend	Designs for the built environment in all residential areas should enable all residents to visit each and not be disabled by poor design. Building more accessible housing with a wide range of design features is crucial for a population that is aging and has increased mobility challenges to have choices in housing.	Micromobility Access AP11.7.5.i Change "mobility users access needs to be provided" to mobility users access needs "must" be provided.

Residential Zones	Other	Support in part	We are 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. 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. Tauranga has a plan for accessibility for an aging population- Nelson just has guidelines though we understand the Nelson Plan is still forthcoming. https://www.tauranga.govt.nz/Portals/0/data/council/strategies/files/accessible-tauranga-aip-working-draft-v3.pdf 4. 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	Though we support intensification and its promise of improved accessibility we ask that Council considers change to ensure that at least a percentage of both Medium Density and High Density developments meet Lifemark Level 4 accessibility standards or higher. This could be done through a designated percentage of a development dedicated to accessible housing, stipulations that all lower floor apartments and single storey housing can only be consented by Council if designs for these comply with universal design standards using prescribed design guides as a minimum starting point or through incentives such as is current the case in Wellington. https://wellington.govt.nz/communit-support-and-r...
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Online submission

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

Submitter No.	S571
Submitter Name	Tim Fraser-Harris
Submitter first name	Tim
Submitter middle name	James
Submitter surname	Fraser-Harris
Submitter is contact	Yes
Email	timfraserharris@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
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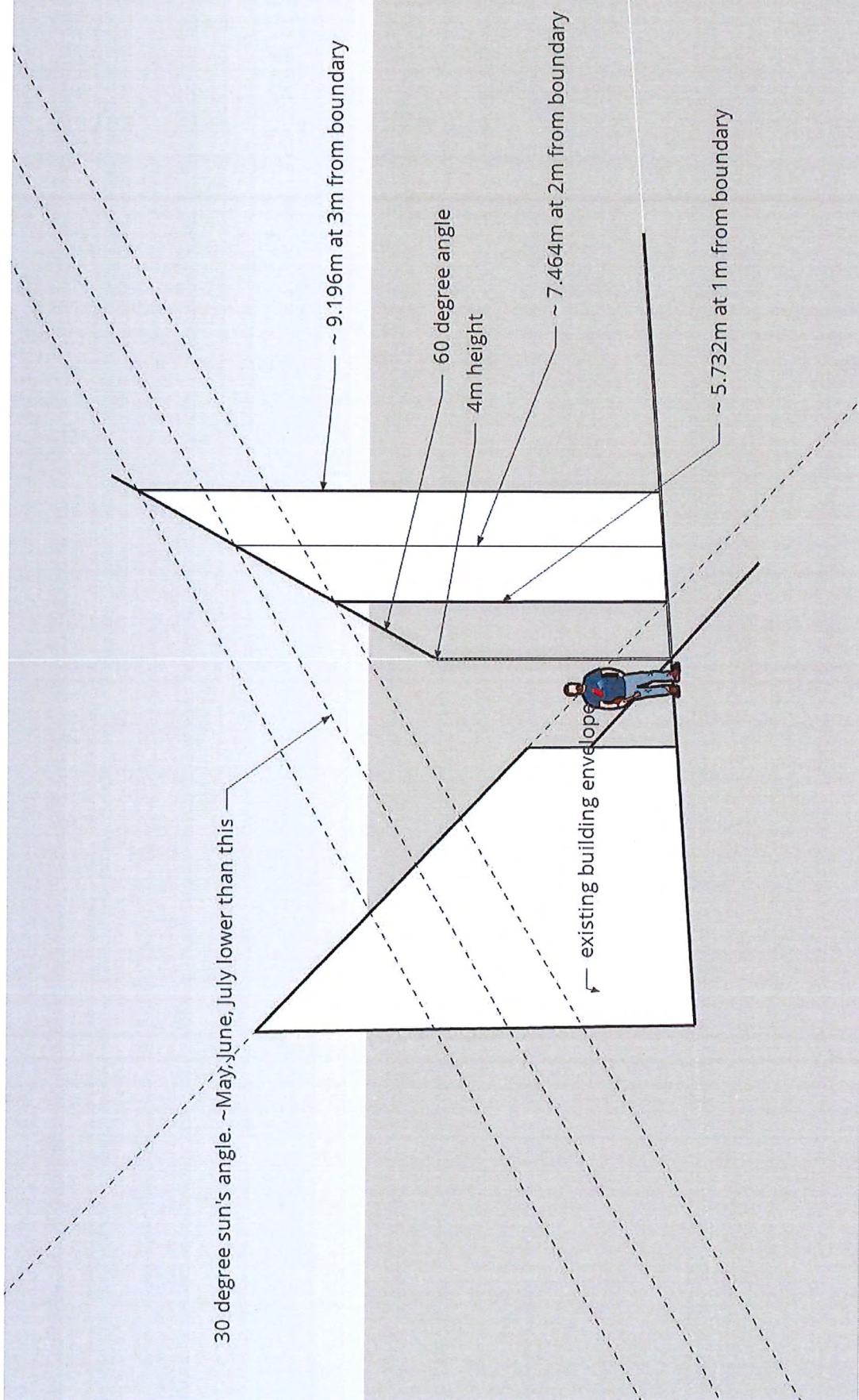
Entire Plan Change	General support	Support in part	Overall, I support the concept of intensification of residential development in and around the city centre. It will have economic, social, and environmental benefits. However, I feel that the zones as currently defined are not sufficiently well thought out. I feel that a more targeted approach might have resulted in less public outcry, and better outcomes. Expecting ~15% of areas to be developed shows how poorly targeted the plan is. I feel that a large number of residents will be 'living in fear' of a large development going ahead on their boundary. However, due to other factors (financial, geotech, social etc...) only a smaller number will actually be affected and probably not for some time. However, this plan change puts a large number of residents into the unknown and creates a perceived risk. Concentrating on smaller areas, with a higher % of expected development could achieve the same levels of residential accommodation provision as mandated by central government. Would adding a requirement to any commercial development in the Inner City Zone to include residential units / apartments on upper levels be an option? I note that new buildings in the Commercial Zones will still require a Resource Consent. This is the area that I feel we should be targeting first for intensification, and we should be encouraging development by providing provisions within the Plan to build and develop as a permitted activity, subject to meeting certain requirements/controls of course.	Review the overall plan change and re-define the zones with a less extensive and more targeted approach.
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Residential Zones	High Density Residential Zone	Amend	I would imagine that the geotech and engineering costs could render development un-viable for a large parts of the identified area anyway, but I am not sure why the higher parts of area has been included - eg. up to the Tosswill/Tamaki intersection. The implications of the proposed Maximum Building Height and Daylight Admission rule changes on new buildings in the proposed Zone would be a dramatic change for the area - especially with regard to sunlight and views. In winter, the hillside behind means that it takes the sun a while to get up. Adding an up to 19.5m building to the north of a property in this zone would mean greatly reduced sunlight in winter, making for cold, damp, unhealthy properties. Adding an up to 19.5m building to the north or west of a property could entirely block another property's view. I feel that any High Density Zone in the vicinity should be limited to the strip adjacent to Tahunanui Drive from Bisley Ave through to Douglas Road, where taller buildings would have less negative impacts on neighbouring properties and would allow better outlooks than achieved by the current buildings. Multiple use developments should be encouraged.	Downgrade the proposed Tahunanui Hills High Density Zone to Medium Density. Add a High Density zone at the lowest levels - adjacent to Tahunanui Drive/Annesbrook Drive.
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Documents included with submission

Document name	Sunlight angles sketch
File	daylightangles.png
Description	Sketch showing my understanding of the implication of the medium density zone proposals

Residential Zones	Medium Density Residential Zone	Oppose in part	I feel the proposed rule change leaves too much to chance, with a significant risk of neighbouring properties, especially to the South of a new building, being completely shaded in winter, and no say/input/recourse for the residents. It also looks like the lower angle of sunlight at this latitude has not been factored in. See attached sketch. The concern I am trying to illustrate is the removal of sunlight from an existing dwelling during the winter months. Yes, a three storey new building would have to be set further back from the boundary, but under the proposed plan change, you could have a two storey building up to nearly 7.5m high just 2m from your northern boundary. We recently had a new house built on our northern boundary on the Tahunanui Hills. It was done in a sensitive way, we had the option to review the plans and approve as part of the resource consent process, and the outcome is great.	Review and amend REr.18K to account better for sunlight, ie. factoring in the orientation of the boundary and its implication, with particular reference to the sun's winter angles at this latitude.
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Online submission

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

Submitter No.	S572
Submitter Name	Nelson Tasman Housing Trust
Submitter Company/Group Name	Nelson Tasman Housing Trust
Submitter is contact	Yes
Email	carrie@nelsonhousing.org.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 support	Support in part	Provide for neighbourhood plans for key intensification areas, as referenced in the FDS, so there is a process to address peoples' concerns and create sensible, attractive spatial plans. Remember a key overall aim is to strengthen the whole community by enabling new housing that integrates well with the community. We urge Council to take sensible action to enable greater housing intensification because the delay in changing the planning rules has gone on far too long.	

The Nelson Tasman Housing Trust (NTHT) supports the objective of the proposed Plan Change 29,

to enable greater housing intensification in key parts of Nelson. This is consistent with our mission, to

increase the supply of quality, affordable, healthy homes and housing services for people/whānau in need, while upholding the principles of Te Tiriti o Waitangi.

NTHT is a not-for-profit charitable trust and a registered Community Housing Provider, working to deliver more social/affordable rental housing in Nelson/Tasman. Since 2004 we have built 55 rental homes in Nelson and Richmond; we have 24 more in our development pipeline due for completion in 2024/25; and our strategic goal is to grow our portfolio to 120 homes by the end of 2028.

NTHT sees the need for social and affordable housing every day:

There are over 100 people on our

- waitlist

We handle almost 200 queries

- about housing every year

Our latest survey of housing need in this region shows almost 700

households need affordable

housing, in addition to the 423

households on the government's

- Housing Register

Documents included with submission

Document name NTHT to NCC re Plan Change29 - Final

File [nthttonccreplanchange29final.pdf](https://www.ntht.co.nz/files/nthttonccreplanchange29final.pdf)

Description

Nelson and all of New Zealand has a real housing crisis. Many factors over the past 30 years have brought us to this point, and restrictive Council planning rules are one factor. Other key factors include drastic reduction of government investment in building housing since 1990, substantial population growth, increased building standards, higher construction costs, tax settings, and resource management requirements.

NTHT supports the objective of Plan Change 29, because our community needs more housing. Nelson's population is projected to increase in coming years, and there must be provision for building more, smaller homes. Nelson has a limited amount of flat land where it is easiest and most economical to build, and we need to make the best use of

it. Intensifying housing near commercial centres and along public transport routes makes good sense, as does planning to adapt to climate change, and supporting iwi and hapū values and aspirations for urban development. We also understand that Council must meet its intensification and capacity requirements under the National Policy Statement on Urban Development 2020 (NPSUD).

Our recommendations regarding Plan Change 29:

1. Work in accordance with the **development areas** identified within the Nelson Tasman Future Development Study 2022-2052 (FDS).
2. **Provide for neighbourhood plans** for key intensification areas, as referenced in the FDS, so there is a process to address peoples' concerns and create sensible, attractive spatial plans.
Remember a key aim is to **strengthen the whole community** by enabling new housing that
3. integrates well with the community.

We agree it makes sense to adjust the Nelson planning rules to enable more terraced housing and apartments up to 6 stories, in specific zones, with protections for daylight angles. We understand the impact of these changes will only take effect over time. Some of the homes generated will be at the high end, we aim to contribute more at the affordable level. We acknowledge the community and economic benefits of generating more homes will only evolve over many years.

Nelson City Council has been signaling for a long time that greater intensification of housing needs to occur. The idea to prioritise "building up vs out" was in the Nelson Urban Growth Strategy from the mid-2000's, eventually followed by the National Policy Statement on Urban Development and the Nelson Tasman Future Development Studies. Lots of words, but so far no action on the ground.

Nelson Tasman Housing Trust strongly encourages Council to progress now, with urgency and care.

NTHT Submission on Nelson City Council Plan Change 29 – Final

The Nelson Tasman Housing Trust (NTHT) supports the objective of the proposed Plan Change 29, to enable greater housing intensification in key parts of Nelson. This is consistent with our mission, to increase the supply of quality, affordable, healthy homes and housing services for people/whānau in need, while upholding the principles of Te Tiriti o Waitangi.

NTHT is a not-for-profit charitable trust and a registered Community Housing Provider, working to deliver more social/affordable rental housing in Nelson/Tasman. Since 2004 we have built 55 rental homes in Nelson and Richmond; we have 24 more in our development pipeline due for completion in 2024/25; and our strategic goal is to grow our portfolio to 120 homes by the end of 2028.

NTHT sees the need for social and affordable housing every day:

- There are over 100 people on our waitlist
- We handle almost 200 queries about housing every year
- Our latest survey of housing need in this region shows almost 700 households need affordable housing, in addition to the 423 households on the government's Housing Register

Nelson and all of New Zealand has a real housing crisis. Many factors over the past 30 years have brought us to this point, and restrictive Council planning rules are one factor. Other key factors include drastic reduction of government investment in building housing since 1990, substantial population growth, increased building standards, higher construction costs, tax settings, and resource management requirements.

NTHT supports the objective of Plan Change 29, because our community needs more housing. Nelson's population is projected to increase in coming years, and there must be provision for building more, smaller homes. Nelson has a limited amount of flat land where it is easiest and most economical to build, and we need to make the best use of it. Intensifying housing near commercial centres and along public transport routes makes good sense, as does planning to adapt to climate change, and supporting iwi and hapū values and aspirations for urban development. We also understand that Council must meet its intensification and capacity requirements under the National Policy Statement on Urban Development 2020 (NPSUD).

Our recommendations regarding Plan Change 29:

1. Work in accordance with the **development areas** identified within the Nelson Tasman Future Development Study 2022-2052 (FDS).
2. **Provide for neighbourhood plans** for key intensification areas, as referenced in the FDS, so there is a process to address peoples' concerns and create sensible, attractive spatial plans.
3. Remember a key aim is to **strengthen the whole community** by enabling new housing that integrates well with the community.

We agree it makes sense to adjust the Nelson planning rules to enable more terraced housing and apartments up to 6 stories, in specific zones, with protections for daylight angles. We understand the impact of these changes will only take effect over time. Some of the homes generated will be at the high end, we aim to contribute more at the affordable level. We acknowledge the community and economic benefits of generating more homes will only evolve over many years.

Nelson City Council has been signalling for a long time that greater intensification of housing needs to occur. The idea to prioritise "building up vs out" was in the Nelson Urban Growth Strategy from the mid-2000's, eventually followed by the National Policy Statement on Urban Development and the Nelson Tasman Future Development Studies. Lots of words, but so far no action on the ground.

Nelson Tasman Housing Trust strongly encourages Council to progress now, with urgency and care.

Online submission

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

Submitter No.	S573
Submitter Name	David Allan
Submitter first name	David
Submitter middle name	Keinan
Submitter surname	Allan
Submitter is contact	Yes
Email	davea@glg.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
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Residential Zones	General Residential Zone	Support	I strongly support the intent to intensify our existing residential areas by enabling up to 3 residential units per site (property) in all Residential zones (GRZ, MDZ & HDZ). Single lane private ways are a common feature of existing residential areas of Nelson. Many are serving sites (properties) with a single residential unit on a large land area. In many cases it is not feasible to create a two way private way (or residential lane) due to topography. This is the case with our single lane private way (shared ROW). We have shared a single lane private way for over 25 years with the first part from the road shared by all 10 properties. 7 properties share at least 70m of shared single lane private way before branching into two further private ways. In the 25 years I can only recall encountering another vehicle a handful of times requiring one of us to reverse or duck into a driveway. I am suggesting the number of residential units is specified at up to 20 that can be served by an existing single lane private way. This will facilitate the intent for intensification of 'brown field' areas in all of the residential zones by enabling at least 3 residential units per site (property). This aligns with Council intent to reduce parking requirements reflecting the desired move in transport away from privately owned cars to other modes and the massive increase in use of e-bikes.	Single lane private ways to be enabled to serve up to 20 residential units to support the residential intensification objective
Residential Zones	Medium Density Residential Zone	Support in part	I support Medium Density zones in principle to enable intensification. High sunlight climate is a key reason many people live in Nelson. I suggest rules to provide sunlight to each residential unit are strengthened to ensure at winter solstice provide sunlight for a minimum of 4 hours per day to ground level of the north face of the dwelling as well as the outdoor living area. This will ensure liveable development and enjoyment of their home and outdoor living area is facilitated.	Rules to provide sunlight to each residential unit are strengthened to ensure at winter solstice provides direct sunlight for a minimum of 4 hours per day to ground level of the north face of the dwelling <i>as well as</i> the outdoor living area.

Inner City and City Fringe Zones	Inner City Zone	Amend	I support High Density zones in principle to enable intensification. High sunlight climate is a key reason many people live in Nelson. My reading of the current sunlight provisions are not fit-for-purpose (with a 60 degree sunlight angle) for ensuring an attractive and people friendly streets in HDZ and particularly in the CBD. I suggest rules are strengthened to ensure at winter solstice provide direct sunlight to ground level of building frontages and footpaths (excluding north side of east west streets). This will require setbacks for development of buildings to the full height allowed of 19.5m. It will also present opportunities for elevated outdoor terrace type spaces, especially on east and west street frontages of developments. This will ensure the attractive character of the CBD as a sunny low scale streetscape. This will contribute to the CBD revitalisation currently being proposed as the streets would remain attractive people spaces. In addition, outdoor seating for commercial hospitality and public spaces could then optimise the sunny space. For example, I suggest rules to provide sunlight to south side of east west streets in the CBD are strengthened to ensure at winter solstice provide sunlight to ground level of the north face of the buildings as well as the footpath and south side parallel parking space/ outdoor hospitality area. This will ensure liveable development and year-round enjoyment of our streets is facilitated and protected for the future. This should at least apply to the streets within the core CBD, especially any hospitality precincts that may be developed where south side parallel parking is replaced with seating areas/ widened footpaths e.g. Hardy and Bridge streets.	Provide fit for purpose setback requirements in the HDZ (and MDZ) daylight rules to ensure <i>direct sunlight</i> to ground level is protected for liveable and attractive streets.
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Residential Zones	High Density Residential Zone	Oppose	I oppose the proposed HDZ in the Tahuna Hills area as the land is not fit-for-purpose due to several factors. I ask the Council to remove Tahuna Hills from the proposed HDZ and make it GRZ because of ongoing and well documented slope instability in this area. The area also lacks suitable infrastructure (narrow roads with limited footpaths and parking). Council has just done an excellent job in traffic calming the key hill route (Stansell, Tosswill & Chamberlain) that will be required to carry an increased traffic load from this intensification with the proposed HDZ and the proposed MDZ zone as well. This will directly and adversely impact on the safety of all modes of road users in the area. The lack of the essential amenities, there are no supermarkets or public transport within easy walking distance. There is also a significant risk of slips directly caused by intensification development particularly when coupled with the climate change impacts of more frequent and extreme weather events.	Proposed HDZ on Tahuna Hills is removed entirely from PC29 and any future District Plans
Inner City and City Fringe Zones	Inner City Zone	Support in part	I 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, amenities (such as the library, art gallery, exiting public open spaces) and public transport services. I suggest the land footprint for motor vehicles is reduced, particularly for parking through the proposed HDZ and other planning provisions. Specifically the establishment of multi storey car parking to free up more land within the CBD to reallocate/ repurpose (or swap land if advantageous) for development of more public open spaces.	Increase public open space and outdoor hospitality space within the CBD through intensification (HDZ) and other planning provisions such as facilitating the establishment of multi storey car parking

Entire Plan Change	The Plan Change process	Oppose in part	I have found the lack of early public engagement and consultation on Plan Change 29 surprising and unsatisfactory. For example, we will be affected by our property in the Tāhunanui Hills being zoned medium density with potential for 12m high buildings on our neighbouring properties. We only found out about the plan change by chance through a friend . There was no letter or email from the Nelson City Council to us as a directly impacted party. We have still received nothing by email or letter from the Council about the proposed change plan to our property. This is a Council-led plan change and it is prudent for Council to appoint independent hearing Commissioners to ensure best practice process is now put in place.	Appoint independent hearing Commissioners
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Residential Zones	Medium Density Residential Zone	Oppose	We ask the Council to remove Tahuna Hills from the proposed MDZ and make it GRZ because of ongoing and well-documented slope instability in this area. We oppose the proposed MDZ in the Tahuna Hills slump area as the land is not fit-for-purpose due to several factors. In the recent flooding event in August 2022 we had 2 slips on neighbouring properties. There is also a significant risk of slips directly caused by intensification 3 level developments particularly when coupled with the climate change impacts of more frequent and extreme weather events. I ask the Council to remove Tahuna Hills from the proposed MDZ and make it GRZ because of ongoing and well-documented slope instability in this area. The area also lacks suitable infrastructure (narrow roads with limited footpaths and parking). Council has just done an excellent job in traffic calming the key hill route (Stansell, Tosswill & Chamberlain) that will be required to carry an increased traffic load from this intensification with the proposed MDZ and the proposed HDZ zone as well. This will directly and adversely impact on the safety of all modes of road users in the area. The area also lacks essential amenities, there are no supermarkets or public transport within easy walking distance.	Remove the MDZ from the entire Tahuna Hills active and passive slump area.
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S574

Voided

Online submission

Received: 31/10/2023
NDOCS-539570224-18392

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

Submitter No.	S575
Submitter Name	Andrew Marriott
Submitter first name	Andrew
Submitter surname	Marriott
Submitter is contact	Yes
Email	marriott@nelsonortho.co.nz
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose		-The proposed High Density Zone not to be applied to any Residential Property -The proposed Medium Density Zone only to be applied to any Residential Property after further consultation increasing yard set backs; decreasing maximum building height or increasing daylight admission angles

1. Too much:

The scope of what Council is looking to by intensification under PC29 is too broad, without enough controls balancing current resident enjoyment with future resident enjoyment/housing needs. Council is moving too far, too fast without proposer consideration. The results of 6 story buildings pepper-potted into existing low-rise residential suburbs will blight Nelson's urban development visually and spatially for generations. I support intensification but not like this.

2.. Intensification deals with supply not affordability:

In its FDS, Council acknowledges it cannot overly influence affordability. Yet the Introduction to PC39 indicates that this has perhaps significantly influenced Council's decision making (I refer to the Context section 4.1 at page 21)

The supporting evidence around PC29 conflates affordability and supply. Nelson may have an affordability issue but at least in the short- medium term Council's own reports do not show a shortage of capacity near to the extent PC29 enables.

Council's consultation to date has been almost exclusively with government agencies and developers. So the Council has put forward a planning solution which aims at new buildings on land – as opposed to repurposing of existing buildings in city and city fringe, or developments of those sites. It should consider alternative methods of intensification appropriate to our region before instituting planning rules which significantly change amenity values for many residents.

If Council wishes to deal with housing affordability, and it wishes to use planning tools to do so, I suggest it would be better to require developers to say, include "inclusionary zones" in all larger developments, where the developer is required to include a certain number of affordable homes.

3. Not "efficient and effective"- no information available to the public on this

PC29 does not adequately provide for what a Nelson "well functioning urban environment" (in implementing the Urban Development NPS) would be.

The section 32 report justifies that PC29 is the "efficient and effective" option (eg p 132, table 25 and following) but with no rationale as to why that conclusion has been reached. In particular, options that are not PC29 are just stated as "less efficient and effective" seemingly because they do not reach the highest rate of housing supply analysed by Council. I can see that, given proper consideration, these other options are at least as efficient and probably more effective- when the scale of growth and preference in our regional town is taken account of.

However it is not possible to fully understand the other options Council has considered and their effect given the way that Council has described them in the PC29 and associated reports.

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

Full Name: Dominic Martin Alford

Address:

Telephone:

Email: dom.m.alford@gmail.com

Signature of Submitter:

Date: 31.10.23

Delete as applicable: -

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 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 all 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.
- 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.

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- i) Firstly, the Residential Zones would be the area I would support Medium Density Residential Zones (3 storey 11m high) ***if required and over time***, providing AP15 Daylight Admission Protection rules remain in force for existing properties.
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- c) Inner City should be the final place for intensification, this can give more time to complete a better design vision after viewing what needs adjusting to our residential neighbourhoods.
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Senior Planning Administrator
RMA Plan Submission
Nelson City Council
PO Box 645
Nelson 7040
Environmental.planning@ncc.govt.nz

Full Name: Adrienne Rachel Alford

Address:

Telephone:

Email: adriennedominic@gmail.com

Signature of Submitter: AR Alford

Date: 31.10.23

Delete as applicable: -

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 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 all 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.
 - 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.
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Online submission

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

Submitter No.	S578
Submitter Name	Benjamin Plows-Kolff
Submitter first name	Benjamin
Submitter middle name	Norman
Submitter surname	Plows-Kolff
Submitter is contact	Yes
Email	benkolff@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 support	Amend		

Kia ora koutou,

About me: 38 years old, living in Atawhai with my partner (full-time teacher at Nayland). Run the Dutch coffee cart at the Saturday market. Born and raised in Whakatū and have lived here for the majority of my adult life since graduating from Otago with a Bachelor of Physiotherapy. I consider this rohe my turangawaewae. I make this submission based on my lived experience in Whakatū since I was a child and as someone who cares deeply for this place and wants to see it thrive as I grow old.

Firstly, kia kaha! I realise you may be feeling somewhat downhearted by the public response to your initiative and effort – not what you had hoped for I imagine. Don't give up – there are a great many of us who very grateful for what you are doing but you don't always get to hear our praise. There are valuable lessons around this plan change for all of us to learn – if we're willing to keep our hearts and minds open.

The purpose of my submission is to support your efforts, not criticise.

I don't have time to read more than a few of pages of information so my submission is based on the few things I've read, a quick glance at the e-plan, and a 30 minute phone conversation with Emily Bayliss – who is an incredible resource and I hope will be available for submissions about other matters in the future!

This is the first time I've made a real submission. My first – and probably most important -feedback is that there is too much information for someone who works full-time to read. It's also far too complicated to understand.

The e-plan was somewhat useful

- You're doing great!
- Take Nelsonians on a journey through the process. Acknowledge that this a big decision, make sure you adequately involve residents. e.g Wellington did a round of submissions on a draft plan. T
- I support "going up not out" (with caveats/concerns)
- Focus on the CBD first
- Needs to be considered in conjunction with (not in isolation to) Nelson's transport issues (i.e traffic congestion) and any plans to build new vehicle transport roads into/out of/through Nelson.
- Implement GRZs ASAP
- Draw up **neighbourhood plans outlining specific design goals** for each area
- Don't allow building on sites you know are at risk (e.g flooding, earthquake fault) – not even if you allow for modifications like raising the floor level.
- Plan change to] coincide with an increase in public transport; active transport corridors,

but you need to come up with better ways to communicate with the public. Some of my ideas are: workshops or online seminars people can attend or watch; YouTube videos we can watch; more information in the Our Nelson paper with regular, bite-size updates on what's been discussed and decided. The Overview of Plan Change 29 proposed amendments to the NRMP was somewhat useful but hard for me as a layperson to understand. I would have liked a short overview of what you're generally trying to achieve (goals/outcomes) and some bullet points of the strategies you're employing (or your proposed changes) to do so. I liked the image I saw in the paper of what intensification will look like over time (up to 30 years) – images like that are really helpful!!

This is a big decision and it feels out of the blue. I think the main reason council has come up against so much resistance from the public is because it hasn't taken Nelson citizens on a journey in terms of what they're trying to do or achieve.

The magnitude of resistance reflects that council is out of step with what residents want. This is partly due to a lot of planning of the Nelson Tasman future development strategy happening around 2020 and the Covid pandemic however I think there are important lessons here in terms of the resistance demonstrated by Nelsonians when they do not feel adequately involved or informed about such important changes to their region.

My request suggestion: Yes, we are faced with a housing crisis and the need for more dwellings is urgent, but we've got to do this right – acknowledge that this plan change is a big decision and make

and green space - currently does not canvas this sufficiently

sure you adequately inform and involve residents before going ahead with changes. As an example, I believe Wellington did a round of submissions on a draft plan. That's a pretty expensive option so maybe we can get creative and come up with a similar idea that doesn't blow the budget (or take too long).

Regarding the change: I support generally support going "up not out" – with caveats. Given time constraints, I can't drill down into detail, so I'll try and get my thoughts across quickly and succinctly.

My first sense about the plan is don't abandon it, modify it – don't throw the baby out with the bathwater!

I really empathise with this council staff – it seems you've all had a very strong reaction from the public. I think, overall, there has been under-development for far too long and plan changes like this have been thrown in the too-hard basket for decades. We're now faced in the situation where it's no longer an option to make changes – it's being forced on us by a housing crisis, we're not prepared for it and this council is baring the full brunt of decades of ignorance and a previous lack of political (and public) willpower. My condolences!

Unfortunately, this is a systemic issue and strategic future plans have been sidelined by councils in all regions of Aotearoa (and the world) because the impetus just is not there to change until it's no longer a choice. And so, this council has been saddled with the burden of decades of under-planning for the future – but, if you can work with the public, not against, you're all totally competent people and absolutely can do it!

GRZ. I support implementing the GRZ in as many areas as possible as soon as possible. I understand the GRZ would allow for tiny houses and granny flats without the need for resource consent or costly expenses while also ensuring rates are paid for these dwellings. If that's the case, do it! Let's put the lawnmower away and put some dwellings there!

There are so many illegal dwellings and dodgy instalments in the region that council is unaware of; get rid of the cost and red tape to make these dwellings legitimate and get them on council's radar –they are a cost-effective solution to our housing woes. Furthermore, putting a tiny home on a road-legal trailer, only to have it sit in one spot just to get around laws is expensive and wasteful, implementing the GRZ will put an end to this wasteful practice.

There definitely needs to be more provisions for secondary minor dwellings or granny flats and perhaps there needs to be a change in how rates are charged to ensure everyone pays their fair share when they have these kinds of buildings in use.

Higher buildings. I support intensification through implementing GRZ changes but I think the tall stuff needs a bit more deep thinking and public involvement.

I also support not requiring dwellings to have a space for cars to park (this seems to be working in Wellington) but improving accessibility for other modes of transport (close streets to cars, make paths wider, buses/trams/other public transport through centre of town). The new

EBus service is a great start! I haven't thought this idea through well but, maybe, one central, multi-storey parking lot in or near the CBD would be helpful.

On a related but slightly separate matter, I think it's vital we keep rental e-scooters (like Lime & Uber) out of Nelson. These companies basically take up valuable pavement real estate without paying anything for it. They are also pose huge safety issues and become a parasite on the city when left sitting all over the place. That said, I would potentially support e-bike rentals with proper planning and stations to park and recharge them.

What I suggest:

Focus on replacing/upgrading the CBD before spreading attention further. The CBD has been in dire need of attention for far too long. Apart from upper Trafalgar Street, there is nowhere particularly inviting for people to go and it desperately needs revitalisation in terms of intensification of dwellings but also accessibility through public and active transport, affordable spaces for businesses and public spaces attract people into town. For this reason, intensification of dwellings in the CBD needs to happen in lockstep with a larger plan to revitalise the entire CBD. I think the redevelopment of Ōtautahi Christchurch's CBD should be used as a guide. It's harder to start with a blank slate of course but we can still learn a lot from how that rebuild occurred to create a bustling and characterful city centre.

I want these plan changes to coincide with an increase in public transport; active transport corridors, and green spaces

(among other things I can't think of right now) – I don't believe the current plan change 29 adequately canvases these themes and would like to see more thought around including them in the plan so we don't miss important opportunities to build necessary infrastructure or allocate spaces for greening or public use.

Don't build on sites you know are at risk (e.g flooding, earthquake fault) – not even if you allow for modifications like raising the floor level.

I recently read in the paper about an architect who held a public meeting about the plan. From the article I read about this in the paper I support...

Draw up neighbourhood plans outlining specific design goals for each area (e.g. accessibility and transport corridors - especially active - around and through the area, incorporating and/or enhancing natural environment elements, increasing preserving heritage and character of an area, integrating climate change strategies (e.g increasing soft landscaping to absorb moisture), etc). It's really important we have overall plans for each neighbourhood/zone so we're not just working on a disconnected site-by-site basis. It doesn't take many ugly developments to ruin a place!

Apparently council has said that work on plans for specific neighbourhoods/zones in the NRMP is "happening behind the scenes" but I don't think any plans changes should come into force until that material has been developed and approved – perhaps with the exception of the GRZs - although it's still pertinent that neighbourhood plans for those zones are created.

Support the development of a regional urban development agency to provide guidance and oversee development across Nelson so it occurs in a more coordinated way. I wonder if some kind of fee could be paid when developing or altering a of land section (relative to its size and how many dwellings) to help support the existence such an agency.

Support the architect's suggestion of building up to 4 storeys high with the possibility of basement level in areas not prone to flooding.

That's all I can think of for now.

Ngā mihi nui to Emily Bayliss for taking a good half hour discuss the plan change with me on the phone today. Her support was invaluable – professional, empathic and insightful.

Thank you for considering my submission, I hope you will stick with this and continue to work collaboratively with residents of Whakatū in a way that moves us forward. I think we are at the start of a long road ahead - if we can all work together and with respect for everyone's perspectives – we can achieve some really exciting and inspiring outcomes for this amazing rohe. I think there are few places better to live!

Ngā mihi nui ki a koutou.

RMA Submission Form for Publicly Notified Plan Change 29



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

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

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

OFFICE USE

Submission No: 8579

Date Received Stamp:

30/10/23

NDOCs No:

53957022416933

*Required

Submitter Details

Full Name*	DEE TAYLOR		
Organisation			
Contact Person			
Postal address*			
Telephone*	Email*	deekereruv@gmail.com	

Trade Competition*

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

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

Council Hearing*

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

Public information

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


Signature of Submitter*

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

20/10/2023
Date*



Nelson City Council
Te Kaunihera o Whakatū

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

Any new multistorey development should not exceed 3 storeys in a small town of Nelson's character.

Any new developments of any kind or size should always be subject to Resource Consent and conform to daylight angles on adjacent residential properties.

The new zoning of areas for high density residential seems to be haphazard. The town needs to be well planned looking at utilizing empty large sites around the town.

A comprehensive study needs to be done, identifying sites around the town and how these could be developed in a cohesive way to achieve a balance of multifaceted design for the future.

The study should be DESIGN driven, not by developers.

Think about running a competition open to designers: How our town should look and be sustainable for future generations.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

Re-planning of high density zones, especially with regard to multistorey.
Allow high density in central and city fringe but where there is single storey housing there should be NO multistorey, to protect daylight angles and sunlight.
Allow individuals to increase the % permitted development on their property by building additional accommodation.
This could be for family members or rental.
Resource consent fees should be reduced for small scale development.
Instead of multistorey maybe think about large scale terraced housing with parking and communal gardens. Houses to be of mixed sizes to accommodate a balance of society - families, retired and single people.
This kind of design might produce some affordable housing.

Note:

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

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

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

Submitter:
Full Name: DEE TAYLOR
Address:

Telephone:
Email: deekereveru@gmail.com

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

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

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

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

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

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

Other comments or concerns I have about Plan Change 29

Multistorey development has no place amongst single storey housing, and certainly NOT in a known fault line & flood corridor.

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

Increase permitted site coverage to 70% providing daylight angles are met for adjacent properties and car parking is provided.

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

Submitter signature Dee Taylor Date 26/10/2023
to be delivered or emailed to environmental.planning@ncc.govt.nz by 4pm 31/10/2023

RMA Submission Form for Publicly Notified Plan Change 29



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

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

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

OFFICE USE

Submission No: S580

Date Received Stamp:

31/10/2023

NDOCs No: 539570224-18150

*Required

Submitter Details

Full Name*	Ian and Tracey McComb		
Organisation	Small Time Developments Ltd		
Contact Person	Ian McComb		
Postal address*			
Telephone*		Email*	ian@smallhome.nz

Trade Competition*

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

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

☒ I/we could gain an advantage in trade competition through this submission. *if yes, please complete the following:*

☐ I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition. ?

☐ I/we are not directly affected by an effect of the subject matter of this submission that: (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition. ?

Council Hearing*

☐ I/we do not wish to be heard in support of my/our submission.

☒ I/we wish to be heard in support of my/our submission. If yes:

☒ I/we would be prepared to consider presenting my/our submission in a joint case with others making a similar submission at any hearings.

Public Information

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

Signature of Submitter*

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

Date*

31 OCT 23

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

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

- ☐ Oppose the Plan Change
- ☐ Support the Plan Change
- ☐ Request **amendments** to the Plan Change

My submission is*:

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

See attached 5 page word document

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

See attached 5 page word document

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 - c. would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
 - d. contains offensive language.
 - e. is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission on Plan Change 29 to Nelson Resource Management Plan

Authors: Ian and Tracey McComb, Small Time Developments.

Ian owns Small Time Developments Ltd, a company which aims to provide high quality small and affordable dwellings for individual households and communities. His background includes 10+ years as a council Development Engineer and Infrastructure Planner, including at Tasman District and Hamilton City.

Tracey is part of Small Time Developments Ltd and her background includes 8 years as a Council resource consent and policy planner.

Introduction:

Overall, we strongly support the intent of Plan Change 29 and congratulate the Council for its intent to enable the intensification of housing in the residential areas of the city.

Specific areas of support include:

- New Medium Density Residential and High Density Residential zoning
- Recognises diversity of housing as an objective
- Acknowledging micromobility as a transport mode
- 3 dwellings per site
- 200m² lot size

Specific areas of concern, which need to be addressed to support sustainable intensification, are:

- Continuing to require resource consent (REr.33) for new off-site relocatable buildings over 30m² (as is currently being interpreted by resource consent planners).
- 35m² minimum size residential unit restriction in the Medium and High Density Residential zones.
- Permeable landscaped areas

Maps

SUPPORT the new General Residential, Medium Density Residential and High Density Residential Zones.

SUPPORT the need for updated Natural Hazard overlays to incorporate updated information.

Chapter 2 Meanings of words

OPPOSE the omission of a specific definition for Relocated Buildings. The current rules appear to **exclude new** off-site builds greater than 30m². If the Council is serious about facilitating infill housing and intensification then removing the restrictions on new off-site builds would be a step in the right direction.

SUPPORT the inclusion of definitions for **cycleparking** and **micromobility** which recognise transport modes other than cars and reflect the move from central government to remove car parking requirements.

OPPOSE the definition of **permeable landscaped area**. The definition of permeable landscape is problematic as it does not adequately define what is permeable and how it will be protected in the longer term. The issues are:

“sealed does not equal impermeable” as there are many products already on the market that would fulfil both definitions in the common understanding. A “permeable” surface should have an initial constructed flow rate of greater than 500mm/hr or 5L/m²/hr. As a comparison, lawn surfaces are reported to have an average permeability of around 100mm/hr.

Protecting landscaped areas. To maintain permeability, these landscaped areas need to be protected from vehicle traffic that kills vegetation, and/or compacts soil reducing permeability. Also, over time, non-consented developments can eat into the landscaped areas. Therefore, to practically achieve long term protection, a Consent Notice is proposed to show the permeable landscaped area(s) on title.

If the intent is extended to require 20% garden areas to support biodiversity, reduction in heat island effect, visual amenity etc then stricter/clearer requirements are required. Practically speaking NCC would need a GIS layer that included the protected vegetative areas, regular image capture and comparison of current surfaces. I believe that this can mostly be automated these days. This is the recommended path that NCC pursues.

Chapter 5 – District Wide Objectives and Policies

DO1A Papakainga

SUPPORT the intention of **DO1A** to provide clearer pathways for Maori to develop papakainga on their ancestral land. However, while we acknowledge the importance of specifically recognising and providing for the needs of Maori, the concept of papakainga is similar to that of collective housing, and in times of housing crisis, as we are currently experiencing, we believe that the NRMP should be providing similar objectives, policies and rules that encourage collective housing in all residential zones. There are many people in the Nelson/Tasman area with experience to assist in the writing of such objectives, policies and rules to facilitate smaller, quick-build, off-site affordable housing that will reduce the number of homeless in our region and meet the need for alternative living and housing styles that are not currently being catered for.

DO10 Land Transport

SUPPORT amendment of **DO10.1.5 access to sites** to include pedestrian and micromobility users in addition to vehicles.

SUPPORT amendment of **DO10.1.7 pedestrian and bicycle traffic** to include pedestrian and micromobility users.

DO13A Urban design

SUPPORT in part. We support the addition of DO13A.4.1.e but believe that this policy should go further to include recognition of collective housing as a viable development option. Based on the intention of the previous two statements (DO13A.4.1.d and c), collective housing is still restricted by some of the rules in residential zones.

DO14 Subdivision and development

SUPPORT the amendment of DO14.1 city layout and design to recognise an increase in housing choice as part of a well-functioning urban environment. However, we believe there are rules that are still inconsistent with the provision of collective housing. These are commented on further in the relevant rule sections.

SUPPORT the amendment of DO14.2 amenity values to include a recognition that amenity is more than just attractiveness, and includes diversity of housing, so that more people can live in safe, warm houses of a size and design that meets their needs, rather than the expectations of others. While this objective attempts to address the changes that will occur to streetscapes with increased building height and density, there are other rules that still limit the provision of housing choice, due to restrictions on building sizes, addressed further in the submission.

SUPPORT DO14.3.1 Roading to include the addition of pedestrian and micromobility provisions as an alternative to only vehicle access and encourage a transport mode shift, in objectives and policies.

DO15 Peripheral urban expansion

SUPPORT the rewording of policy DO15.1.1 that supports increase in density and recognises that diversity of housing contributes to a well-functioning urban environment.

DO16 Zones

SUPPORT the introduction of General Residential, Medium Density Residential and High Density Residential zones.

SUPPORT the wording of the zone statements in **DO161.1.iii** and **DO161.1.iv** to describe the general planned built character of the zones and a recognition that the addition of these zones will result in a moderate to high degree of visual change to neighbourhoods. We agree that this change in the “look” of neighbourhoods is necessary in order to meet the diverse and pressing housing needs of our city and reflect the fact that there is a demand for smaller house sizes and a variety of on and off-site designs and materials that may look different to existing, established areas. Amenity means more than just visually pleasing, which is a subjective in nature.

Chapter 7 Residential Zone – Objectives and Policies

SUPPORT the addition of REd.9 and REd.10 introducing the new residential zones and acknowledging that the appearance and character of neighbourhoods will change as a result of these new zones, in order to meet the needs of residents for housing choice and diversity. We recognise that some areas of the city are less suited to more intensive development due to natural hazard risks and sea level rise.

SUPPORT in part RE1.7, RE1.8, RE2.9. We support the intent of these new policies but suggest that they could be extended to include specific reference to collective housing as an intensive and diverse form of housing development.

Chapter 7 Residential Zone – Rules

General Residential Zone

SUPPORT up to 3 residential units per site being a permitted activity in all new residential zones (REr.17B)

OPPOSE reference to “the attractiveness of the street” as being a matter that discretion is restricted to in REr.17B.3 and REr.17B.4

OPPOSE REr.17H permeable landscaped area and Site Coverage

The definition of permeable landscape is problematic as it does not adequately define what is permeable and how it will be protected in the longer term. The issues are:

“sealed does not equal impermeable” as there are many products already on the market that would fulfil both definitions in the common understanding. A “permeable” surface should have an initial constructed flow rate of greater than 500mm/hr or 5L/m²/hr. As a comparison, lawn surfaces are reported to have an average permeability of around 100mm/hr.

Protecting landscaped areas. To maintain permeability, these landscaped areas need to be protected from vehicle traffic that kills vegetation, and/or compacts soil reducing permeability. Also, over time, non-consented developments can eat into the landscaped areas. Therefore, to practically achieve long term protection, a Consent Notice is proposed to show the permeable landscaped area(s) on title.

If the intent is extended to require 20% garden areas to support biodiversity, reduction in heat island effect, visual amenity etc then stricter/clearer requirements are required. Practically speaking NCC would need a GIS layer that included the protected vegetative areas, regular image capture and comparison of current surfaces. I believe that this can mostly be automated these days. This is the recommended path that NCC pursues.

Medium Density Residential Zone

SUPPORT up to 3 residential units per site being a permitted activity in all new residential zones (REr.18B)

OPPOSE reference to “the attractiveness of the street” as being a matter that discretion is restricted to in REr.18B.3 and REr.18B.4

OPPOSE permeable landscaped area REr.18H for reasons outlined for REr.17H

OPPOSE minimum size REr.18U

The Draft MRZ and HRZ rules require a higher minimum floor areas for 1 bed units than is required to achieve compliance with the **Housing Improvement Regulations 1947** (15 Nov 2021 version). Thus the Draft District Plan oversteps its mandate and whilst the aim (in the S32 Report) of having an indication of the number of dwellings/persons to be erected on any site is worthy, there are many factors associated with slope, hazards, construction timing, building form, common areas etc that mean that efficient Council facilities and infrastructure planning will not be usefully served by just assuming a maximum number of dwellings/infrastructure demands per site based upon minimum house sizes.

Apart from the Housing Regulations, there are examples of high-quality architect designed medium and high density apartments that are smaller than 35m² such as the Nightingale projects in Melbourne (<https://www.nightingalehousing.org/>). These developments include larger common spaces and have facilities for shared recreation, laundry etc and have single bedroom apartments down to 19m².

As most developments will be subject to Resource Consent requirements because of the more than 3 dwelling trigger, minimum house size should not be an additional trigger or assessment criteria as the Building Act and Housing Regulations previously cited adequately deal with this matter. Hence the lack of such a criterion in the MDRS.

Of particular interest to the submitter is the interaction of this proposed minimum house size rule and the existing 30m² rules that does not require a resource consent (RC) for a transportable house (REr.33).

By forcing a minimum 1 bedroom unit size of 35m² it therefore makes it impossible to avoid a RC. Thus currently a 29.5m² 1 bedroom unit could be placed on an existing title without a RC but that would not be possible under the new rules in the MRZ or HRZ.

Our particular interest in placing smaller transportable units within the medium and high-density zones is for the time between the rules becoming *Operative* and the economic feasibility of new apartment buildings being erected. This will be decades in some cases as few developers have the financial capacity to undertake apartment building development and sufficient re-development sites and final customers need to be available in the market to allow progress.

Hence the current drafting of the new plan rules could facilitate a situation where the average density in the GRZ increases at a faster rate and remains higher than the average density of the MRZ and HRZ for decades, thereby undermining the intention of increasing housing density close to the CBD and associated services. Conversely, facilitating transportable units into MRZ and HRZ sites until a full apartment redevelopment is feasible would encourage housing more people in the inner-city environment from the early days of the new rules being *Operative*. This would support the objectives of reducing transport emissions, and efficient use of community facilities, infrastructure and businesses.

High Density Residential Zone

SUPPORT up to 3 residential units per site being a permitted activity in all new residential zones (REr.19B)

OPPOSE reference to “the attractiveness of the street” as being a matter that discretion is restricted to in REr.19B.3 and REr.19B.4

OPPOSE permeable landscaped area REr.19H for reasons outlined for REr.17H

OPPOSE minimum size REr.19U, as per comments above for REr.18U

Other rules

OPPOSE REr.33 Relocated Buildings. The explanation for requiring a resource consent for a controlled activity clearly uses words to describe the “re-use” of a resource. However, new off-site builds are being subject to this rule which is restrictive for infill housing.

Building near or over pipes

SUPPORT in part REr.36A Building over or alongside drains. Whilst the reasons for and objectives of the change are supported, the proposed wording would result in unnecessary consenting effort.

Rather than a simplistic change from 3m to 5m for the permitted status, the rules should follow a proportional approach as is already used for easements in the NTLDM. i.e. if the gap between the pipe centreline and structures can comply with a distance of 1.5m (each side) plus the diameter of the pipe plus the depth of the excavation to lay then it should remain a permitted activity.

SUPPORT Sch.AA Papakainga development. While we support the intention to provide clearer pathways for Maori to develop papakainga on their ancestral land. However, while we acknowledge the importance of specifically recognising and providing for the needs of Maori, the concept of papakainga is similar to that of collective housing, and in times of housing crisis, as we are currently experiencing, we believe that the NRMP should be providing similar objectives, policies and rules that encourage collective housing in all residential zones. There are many people in the Nelson/Tasman area with experience to assist in the writing of such objectives, policies and rules to facilitate smaller, quick-build, off-site affordable housing that will reduce the number of homeless in our region and meet the need for alternative living and housing styles that are not currently being catered for.

Rev 0.1

Rec: 31/10/23
Submitter: S581

NOCCS: 539570224-17926

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: Hilary Kirby

Address:

Telephone:

Email: hil.kirby@gmail.com

Signature of Submitter:

 Hilary Kirby.

Date: 31 Oct 2023

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

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

I **OPPOSE** Plan Change 29 (PC29) in its entirety,

AND SEEK the withdrawal of the Plan Change by Council prior to the calling of Further Submissions,

AND (if Council does not withdraw it accordingly) **SEEK** dismissal / cancellation by the Commissioner and/or Council.

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

"Just because we can, doesn't mean we should" – Colleen Patrick-Goudreau

I oppose Plan Change 29. I oppose the new residential zones, specifically the height increases of 8m, 11m and 19.5m, in existing residential areas and specifically in the Stoke and Tahunanui Hill areas. I oppose the recession plane, site coverage, yard set back, as well as the already mentioned height change.

I am not an academic, so this is my personal submission, written in that style. I have cut and pasted from others at the end of my submission, where I have agreeing points of view.

I am a ratepayer of two properties in Stoke and Annesbrook, where I have lived my entire life.

I choose to live in Stoke for it's slower pace, ease of getting around, visual landscape and community feel. The impact of multiple 2,3 and 6 story development on existing sections will change the heart of this community and put strain on already at capacity and limited community resources, shops and services. It will visually alter the open and sunny environment, and the intensified expected population from these dwellings will change the community environment and safety in our central Stoke shopping area. This will put strain on roading infrastructure, schooling, public services, and change the lifestyle for many residents who choose to live here for the same reasons I do. This will be a huge environmental and lifestyle change for the current residents and ratepayers who have chosen to live here for the community it is, as it is.

Many Stoke residents are retirees and families. We have gardens which enhance wellbeing and keep us active, grow vegetables and fruit to feed ourselves and have solar panels to lower power bills. This type of self reliant lifestyle may seem "old fashioned", entitled even. But it is a sustainable way to maintain a level of ownership for your environment, your own well-being, and that of your neighbours. To have sun blocked and a several story apartment on your boundary removes vegetable/fruit growing potential, solar capacity and crucially – privacy. It would alter an existing lifestyle for so many in a way that cannot be measured by how many people understand the Plan 29 change well enough to write a submission.

I strongly feel if there are not many submissions relevant to the Stoke area it will be a reflection of my above comment and not because they agree with the changes proposed. My hairdresser Aimee who lives on Marlow Street would be directly impacted by this plan change and was not aware of it – she is a busy working mother with three children. I am concerned for other existing residents like her who do not have the time to spend trawling over complex and difficult to access information and are therefore overwhelmed by the submission process. **If there is a lack of submissions with particular reference to the Stoke Community these are the reasons – not because Stoke residents support PC29.**

I do realise we need housing. Therefore:

I propose altering residential zones allowing 2 or 3 story development in new subdivisions only within the Nelson and Stoke residential areas – such as the 2250 homes earmarked for the Ngawhatu Valley and Marsden Valley area <https://www.stuff.co.nz/nelson-mail/300379291/the-developments-putting-their-hand-up-for-infrastructure-fund> where existing residents will not have their current privacy, sunlight, and visual environmental lifestyle they are used to severely impacted. Those that want to live in multi story low maintenance housing are catered for, but those that prefer to have some space/sun/privacy around them are also respected, acknowledged and able to maintain the environment they currently have. I do not think 3 or 6 stories is appropriate in any area of central Stoke or the Tahunanui Hills. Hopefully from this side of town people will head into Nelson, instead of out to Richmond, for needs not met by central Stoke.

I propose that proper design guidelines are incorporated into these new multi-story residential areas – and that site coverage is reduced, large green spaces required, cycle ways are incorporated to allow residents to be outdoors and active. I propose trees are retained, planted and maintained, and public transport readily available directly to these

new sub division areas. I propose that schooling is thought of and planned for in these areas too. I propose that these new sub division areas are created and developed as a community – not apartments just plonked willy nilly into existing residential areas as PC29 proposes.

I propose hights of up to 11 metres (3 stories) for Nelsons CBD ONLY, and where this area boarders residential, Resource Consent must be publically notified so residents approval is gained.

My houses aren't directly affected by this proposed plan change. In fact any development up Ngawhatu would personally impact me more. But I feel so strongly about this for the slower pace and "vibe" of the Stoke community that I put any impact on me personally aside to strongly protect and preserve all the things I love about living in the smaller community of Stoke.

I read the article yesterday about Nelsons CBD slow 11% retail growth, as opposed to Tasmans 75% retail growth <https://www.stuff.co.nz/nelson-mail/133142261/how-do-you-solve-a-problem-like-nelsons-cbd> - Increasing population in central Stoke will only send more people to Richmond to spend their money as free parking, and Malls seem to cater to peoples shopping needs better than battling traffic and parking in Central Nelson. Is that what we want for our CBD?

I also ask planners to reconsider carefully the limited employment implications of dramatic increase in population to the Stoke area. Not only do we have limited community resources as it is, we do not have large places of employment. This means more people once again in cars and on roads – heading to Richmond or into Nelson, putting more strain on roading infrastructure which is already over loaded.

Points I include from other submissions, with my own additions made:

1) 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.*
- b) *This is particular to Stoke where the proposed intensified zone area is in the flood overlay plain. Raising floor levels of apartments to cater for environmental impacts of climate change does nothing to protect existing houses (which would be lower) from the extra storm water runoff that would be created. Having larger areas of land covered in hard surfaces of buildings or hard ground cover also increases stormwater runoff and flow which adds to the flood problem where the area is already served by an insufficient storm water system.*
- c) *I point to Waikare Street in Tahuna where historically residents' properties flooded repeatedly in the 1990's due to sub-division development and inadequate storm water systems, mixed with high tide and rain events. Pump stations have been put in years AFTER the fact here – I propose infrastructure is updated BEFORE any further development, and flood risk mitigated for existing properties. I am very familiar with what occurred in Waikare Street, as my mother was one of the houses irreversibly damaged due to water backing up and coming out the NCC sump, down her driveway, and repeatedly flooding under her house. This is not off topic – it is clearly showing an explanation of what I wish to avoid by any intensified development in central Stoke (and Nelson).*
- d) *I was told at the Stoke meeting that NCC plans stormwater infrastructure for a one in 100 year flood event. We have seen repeatedly that with even the best planning, that models has been no match for what actually occurs by mother nature and her atmospheric rivers, which are occurring far more than every 100 years.*

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

- a) *That I have found it difficult to digest the total content of the proposed PC 29 and its supporting documentation due to its size and complexity.*

- b) That access to a paper copy of PC 29 and the Section 32 reports has not been made available for residents who do not have access to, or the ability to use a computer.
- c) That I have found PC 29 lack of early public engagement and consultation by Council, with its severe implications towards the well-being of existing rate paying residents enjoyment of their properties, extremely stressful and unnecessary.
- d) That I have been put in a position of hoping more qualified citizens than I, will make more comprehensive submissions covering my concerns as to the future of Nelson and its ratepaying residents.
- e) That Council Planning Staff have stated at numerous meetings "This is a 'Broad Brush approach' that requires public submissions to refine the plan". Such a statement implies PC 29 has been prematurely put out for public submissions in an incomplete and inaccurate state that requires the public to learn and understand its entirety, so they can re-design it.
 - i) I am asking Council to withdraw PC 29 and get Council Planning staff to refine the plan design and then put it back out for public submissions.
- f) Despite numerous requests by others, Nelson City Council (NCC) has refused to contact by email or letter, all it's ratepayers. We will all be affected, either directly or indirectly, by PC29 and so it is essential that all property owners are notified directly. At the very least, those property owners who will be directly affected by their property's zone being changed, should be notified by email, letter, or mail drop. Essentially, not all Nelson property owners are aware of PC29, or it's implications, on their property and their tenants.

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

4) 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.

5) Intensification

- a) I strongly oppose the High-Density Residential Zone. It is by no way in character or in keeping with any existing 'Low Rise' Nelson residential suburb and beyond the MDS legal mandate.
 - i) I ask Council to remove HDRZ from the plan completely.
 - ii) I ask Council to apply the new General Residential Zone equally across the entire Nelson district on the introduction of PC29, on the basis that AP15 Daylight Admission protection rules will apply to all pre-existing properties, unless the owner gives written approval to the contrary.
- b) I am strongly opposed to all new 'Green Field' developments being used for only single storey dwellings as it is a complete underutilisation of land that can accommodate increased intensification.
 - i) I ask Council to ensure a minimum of two storey dwellings be built on all new green field developments. Eg Golden Elms in Toi Toi, Ngawhatu Valley, Tasman Heights, Marsden Valley and Bayview in Atawhai.

- c) *I do not oppose multistorey residential 11m (3 story) buildings in the CBD business area of Nelson, but these should ideally be permitted on a case-by-case basis, requiring a resource consent application and approval from any affected residential neighbours.*

6) 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, particularly in the Stoke area as already mentioned – where much of the central shopping area is already in the flood plain.*
- d) *If Council does not or is unwilling to provide the infrastructure required to allow for intensification, and instead stipulates that this must be paid for by developers, then the opportunities for development and intensification will not be equitable. This is because only large developers, social housing providers and government organisations like Kainga Ora, will be able to meet this extra cost. Other ratepayers will generally not be able to afford such a surcharge and therefore will not be able to develop their properties to help meet the need for intensification.*

7) Social Impact Study

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

8) Section 32 Evaluation Report is inadequate.

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

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

I SEEK the following decision:

1 *Rejection of the whole Plan Change 29;*
and if that is not accepted, I SEEK

2 *the deletion of the HDZ from PC 29;*
and if that is not accepted, I SEEK

- 3** *the inclusion in PC 29 of a maximum height of 7.5 metres (current) for central Stoke and 11 metres (3 story) for CDB Nelson in the areas proposed to be HDZ; and up to 11 metres for any new sub-division in Nelson or Stoke. (only NEW subdivisions) *Doing**
- 4** *the amendment of PC 29 to ensure that all Recession Planes (and commencement height and degree angle of the same) remain as detailed in the NRMP*

and

- 5** *An amendment to ensure that any non-compliance with Rules REr.18J or REr.19J (both as to height), and/or REr.18K or REr.19K (both as to daylight admission) be considered as "non-complying" – and not as Restricted Discretionary or Discretionary;*

Online submission

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

Submitter No.	S582
Submitter Name	Bill Harrington
Submitter first name	Bill
Submitter surname	Harrington
Submitter is contact	Yes
Email	billz@windowslive.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
Natural Hazards/ Climate Change	Slope Instability	Amend		Amend the naming of "Slope Instability Area 3" to "Low Risk Slope Instability Area", "Slope Management Area" or "Slope Assessment Area" or similar

Slope Instability Area 1 and Area 2 cover areas of higher geotechnical risk. Slope Instability Area 3 is a generic area based on a generic parameters mapped at 1:5000 scale and it is misleading to bundle this wider area in as an "Instability Area".

The overlay is based on a 14 page report which acknowledges that "additional work may be undertaken to refine and/or verify the locations and extents of the proposed zones, and/or to assess risk in relation to the zones. The overlay set out in this report has been prepared from desk study only." This is a light level of information to label a significant area of Nelson "unstable".

There are large areas that have been mapped as Slope Instability Area 3 which include subdivisions consented in the last 10 years which have been subject to extensive investigation and geotechnical assessment, including in Enner Glynn and Bishopdale. Significant earthworks and stabilisation works have been carried out in order to obtain subdivision consent in these locations (including passing s106 of the RMA), along with mitigation including retaining walls and ongoing consent notice requirements for building and earthworks. This information and subdivision wide geotechnical assessments are readily available to Council.

It is also noted that having the same overlay name for Area 1 - 3 takes away from conveying the higher level of risk associated with Area 1 and 2 in simple terms as Area 3 is based on such generic parameters.

The general premise of mapping these areas and then requiring further site-specific investigation work at the time of consent is not opposed. However given the high level nature of investigation that has gone into the mapping Area 3, it is requested that the overlay be renamed to one of the options outlined above (or similar).

Entire Plan Change	General support	Support	There may be a range of well supported reasons for amendments to the zonings and provisions in specific areas made by other submitters, however the general premise of this plan change and advancing some form of intensification plan change is supported and long overdue in Nelson. Please note this submission is made in a personal capacity and not in any specific professional capacity as a planner. However from my experience consenting a considerable number of housing developments in Nelson the current density settings are at times out of step with what the market is seeking to deliver, and even well designed intensification can run into difficulties set against the currently out of date planning provisions and density settings, which are also not reflective of national direction to improve housing capacity and supply.	Generally support the need for an intensification plan change in Nelson
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Online submission

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

Submitter No.	S583
Submitter Name	Janet Matheson
Submitter first name	Janet
Submitter middle name	Carol
Submitter surname	Matheson
Submitter is contact	Yes
Email	janet@confer.co.nz
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose in part	A huge red flag concern is that the sewage infrastructure is inadequate to cope with current housing, and with the existing proposed developments on Nile Street and the Maitai it is going to be a disaster. My Nile St property has been flooded with sewage twice in the last year due to the mains pipe on Nile St blocking with fats and backwashing and flooding my property and basement. Adding hundreds more toilets, dishwashers and washing machines into the mix is a recipe for disaster and needs to be urgently addressed for the current situation, but before any plan changes permit further intensification. We must put the horse before the cart. There is room to build 3 - 6 storeys in many places around the edges of the city without overwhelming existing homes in the city streets.	Maximum 3 storeys. Preferably 2 storeys. Minimum of 1.5m from boundary. Consideration of existing light and sun angles to be taken into consideration. Sewage infrastructure will be upgraded before developments are started.

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 31/10/23
Sub No: 5583
Notes: 539570224
-17163

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: <u>Janet Matheson</u> Full Name: Address: Telephone: Email: <u>janet@confer.co.nz</u>
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- ☒ 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

① Infrastructure to cope with sewage. Currently, it hardly copes, I have been flooded with sewage twice in the last year. The main pipe on Nile Street blocks and backwaters and floods my property and basement.
 ② 3 storeys will wedge people in leaving them with no light.

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

Allow buildings of 3 storeys + to be developed on the edge of town.

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

.....
 Submitter

31 OCT '23
 Date

NB: TO BE DELIVERED TO NCC OR SENT TO environmental.planning@ncc.govt.nz by 4.00 pm
 Tuesday 19th September

RMA Submission Form for Publicly Notified Plan Change 29



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

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

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

OFFICE USE
Submission No: 5584
Date Received Stamp: 30/10/23
NDOCs No: 539570224-16936

*Required

Submitter Details

Full Name*	Noeline Vincent		
Organisation	-		
Contact Person	-		
Postal address*			
Telephone*	Email*	Vincent.family@xtra.co.nz	

Trade Competition*

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

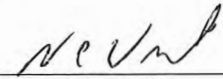
- ☒ I/we could not gain an advantage in trade competition through this submission.
- ☐ I/we could gain an advantage in trade competition through this submission. If yes, please complete the following:
- ☒ I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely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

Council Hearing*

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

Public information

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


Signature of Submitter*

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

27/10/23
Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

Note:

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

Nelson City Council

Proposed Change 29 to the Nelson Resource Management Plan

Submission by Noeline Ciciley Vincent, Brougham Street, Nelson

My Submission concerns mainly the area to be zoned as Residential High Density (RHD) addressing changes to Brougham Street and suggesting consequences and alternatives.

Plan Change 29

I reject PC 29 in its entirety.

Plan Change 29 would change Nelson from the vibrant but safe city that so many of us have loved to live in for most of our lives. It would affect the safe quiet residential areas families and communities have sort out to call Home. The anxiety of the possibility of a 6 story Block of Apartments going up on our boundary along with the accompanying noise, pollution and lack of private outdoor areas to socialise, and safe outside areas for children to develop their co-ordination skills.

This is not what we bought into in choosing our Home. As a Widow I bought a small house in the quiet end of Brougham Street, figuring it prudent to pay a bit more to be within walking distance of most facilities, saving transport costs and traffic congestion now, also realizing in the future I may not be able to walk easily or drive. A mobility scooter would maintain independence and access to Library, Doctor (if needed) Supermarket etc. To maintain good health, other considerations are clean air – helped by the large number of huge trees in the area, traditional property sizes (Higher Density= Higher air pollution=increased risk of Cancer) Fairfield Parks spaciousness, quiet neighbourhood and able to rely on the sun for especially winter warmth and Vit D (monitored) & home grown food production, all contributing to health and wellbeing outcomes.

Transport

Our street, Brougham Street, between Trafalgar St & Rutherford St frequently has very few car parks available during the bulk of the year, with NCG student cars and all day parkers often leaving no parking available for families to visit Fairfield Parks "Project Butterfly Memorial Pathway" which was established as an important place to help grieving parents, and to spend time on occasions such as Anniversaries etc. Also for those wanting to exercise their Dogs in this

“Off the Lead” Park, I notice most coming by car or with kids to play in the popular Children’s playground, sadly often with no reasonable close parking available. We recently had a car parked ¼ way over our driveway from about 9am to after 5pm – this driveway services 3 households.

With no ‘off street parking requirement’ for Blocks of Apartments, this may well become a regular occurrence – blocking access for emergency vehicles when needed. All 3 households are occupied by retired people.

My late Husband & I started off Flatting in Nelson & I am keen to encourage fresh talent to the city. There are sites in Nelson City where Large Blocks of Rental Flats or Apartments could fit well to replace some of the buildings which no longer meet the Building Code and for those who find renting is their best option.

412 Trafalgar St was investigated as a possible site for 6 affordable houses some years ago. During the research it was discovered by the prospective developer they would have to fund the sewage renewal from the site down to Rutherford St, through approximately 6 properties in the process. This became uneconomical to proceed, so this large street front section lays unoccupied.

Just browsing a letterbox drop - real estate brochure, I note new and near new Apartments for sale, which are part of a block of Apartments priced at \$750,000 & \$950,000, a pretty hefty cost for many. Three of my kids who now have kids of their own, have returned to live in Nelson to give their kids the same lifestyle & safety they enjoyed growing up. They have bought older house in this area for several hundreds of thousand dollars less than these Apartments and are renovating the insides of them as time and finances allow.

As is well known “The Sunshine Capital” is a popular spot for older people to retire, so these older houses will continue to become available.

Berryfields subdivision has also created more affordable housing by building on smaller sections beyond the city.

Aspects of this could be repeated by adding a satellite suburb in the Nelson area, maybe out Hira way in a safe but undeveloped area with a new school added, as the local schools in the city have Zoning Restrictions, indicating they are near capacity in student numbers and availability of land to expand.

Developing fast, frequent transport could make this a popular cost effective option for a variety of residents.

All the car sales lots in Rutherford St could be offered an area further out of the inner city land they now occupy, such as a "Vehicle Park", this would have considerable benefit to prospective purchasers also.

Tourism

I believe the Heritage building should be maintaining to preserve the Character of Nelson, along with the interesting styles of homes built since Nelson was first settled. Victorian, Edwardian, Art Deco & Californian bungalows, with their ever changing garden plantings gives Nelson its street appeal.

We are well known for our Great Weather, Fishing Industry, Heritage, Ambiance, Beaches, Bays , Walking and Heritage tracks & Mountain Bike Tracks (5 minutes from the city). Tourist come, support our businesses, leave, accommodation for the next team !!

Tourism could add to a goal of become a much larger 'Clean Dollar Earner' with very little down side.

The loss of the WOW museum was a sad blow – as it was a 'must see' with Holiday makers and International Tourists alike.

The Planned Changes as they are, will have a hugely negative effect on thousands of our residents, and the value of their homes. This a major concern for the bulk of Nelson home owners who have scrimped and saved to acquire their home, & now suspecting they will watch a substantial chunk their life saving slip through their fingers.

Saturday 28th Nelson Mail front pages sums it up – incredibly stressful –

Currently we respected everyone's rights - happy to share what Nelson has to offer-sunshine, privacy and views, great place to live, work and safe to bring up a family etc. There is room for growth under the current regulations as discussed earlier in this document, with central city accommodation blocks, natural transfer of existing homes ownership & a satellite suburb along the lines of Rolleston, who can still enjoy the benefits of living in this Nelson sunshine.

I agree with all that the author Tim Bayley has observed and appreciate his ability to express the view of so many Nelsonians, who through their busy work and family lives haven't had the time to write a submission.

4-21 Brougham
St



Gaps represent Residents
Driveways

Wakatu | 3 Manchester Way

Another sold by ...



3 Manchester Way was sold by Emma McCashin and Dwayne Lohmann.

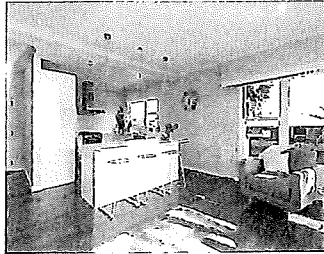
Thank you to our vendors for trusting us with this sale, you have been great to work with. Congratulations to the first-home buyers who secured this stunning property. There are active buyers looking for homes in Annesbrook, give us a call to see what your property is worth.

Emma McCashin | Summit Richmond

021 682 787 | 544 2900 | emma.mccashin@summit.co.nz

Dwayne Lohmann | Summit Richmond

027 239 2963 | 544 2900 | dwayne.lohmann@summit.co.nz

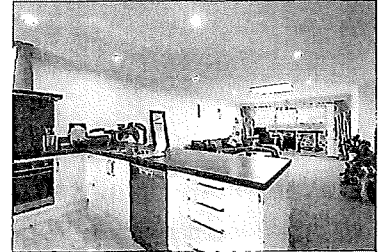


Enner Glynn | 70d Coster Street



Easy Care Living With Views!

Nestled in a new development, this townhouse offers the perfect blend of modern convenience with uninterrupted views. Step inside to discover an inviting open-plan layout, 3 bedrooms, 2 bathrooms, plus an additional separate toilet, including a master suite complete with a walk-in wardrobe and ensuite. For added convenience, a single internal-access garage provides secure parking and laundry facilities.



View Sunday 3.00-3.30
summit.co.nz/SR41050
Offers Over \$799,000

Glyn Delany

027 200 9989 | 544 2900

Callum Gilchrist

027 332 2689 | 544 2900



Britannia Heights | 262 Princes Drive

Another sold by ...



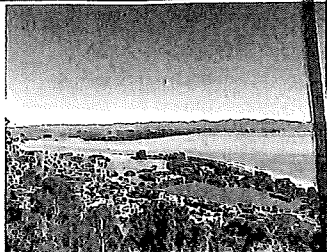
262 Princes Drive was sold by Dwayne Lohmann and Emma McCashin. What an amazing result with over 100 groups of buyers viewing this stunning property. Congratulations to both our clients and the lucky purchasers who have secured their own slice of paradise. With many qualified buyers, please call us now if you would like to sell your property.

Dwayne Lohmann | Summit Richmond

027 239 2963 | 544 2900 | dwayne.lohmann@summit.co.nz

Emma McCashin | Summit Richmond

021 682 787 | 544 2900 | emma.mccashin@summit.co.nz



Enner Glynn | 62b Coster Street



Artist Impression Only

High Quality Townhouse Nearing Completion

An exquisitely crafted townhouse, where there has been several updates to the interior of this high-quality build. Inside, are 3 generous bedrooms, complemented by 3 well-appointed bathrooms, plus the convenience of a double internal-access garage. Featuring an open-plan and inviting living with great flow to multiple outdoor living spaces, and breathtaking views out to the western ranges.



View by appointment
summit.co.nz/SR41052
\$950,000

Glyn Delany

027 200 9989 | 544 2900

Callum Gilchrist

027 332 2689 | 544 2900



Stoke | 18 Aldinga Avenue

NEW LISTING



summit.co.nz/SR41109

2 4 1 3

Elevate Your Family's Lifestyle in Nayland

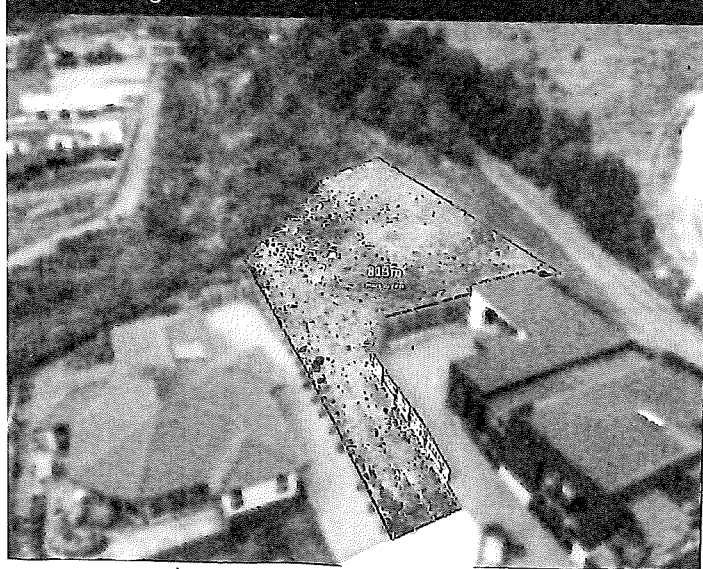
Welcome to your dream family home in the heart of the Nayland area, where comfort, space and convenience converge. This spacious split-level residence is the perfect place to call home. Four double bedrooms (the master bedroom offering potential for an ensuite), a sunny conservatory, a generous-sized kitchen and separate living. There's a fantastic 3-car basement garaging, a workshop area, and a freestanding studio. This property offers everything a growing family needs on a sunny 650sqm section with a lovely outlook to the Aldinga reserve.

View Sunday 3.30-4.00
summit.co.nz/SR41109
Offers Over \$879,000

Michelle Westrupp
021 760 068 | 544 2900



Stoke | 5 Wrights Place



Awesome View & Already tiled!

This is the last section in Wrights Place, Stoke and is ready for someone to build their dream home. The views are amazing with the stern ranges, Rabbit Island, and beyond in sight. The elevated position is 813sqm with services to the boundary. Located in a peaceful neighborhood, with sports fields, the ways, Stoke shopping, cafes, schooling all nearby, amongst quality homes.

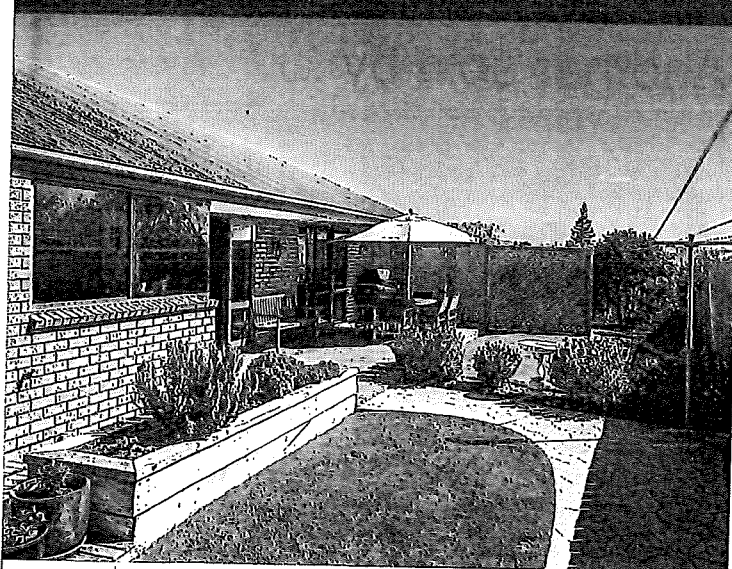


View by appointment
summit.co.nz/SS41054
Offers Over \$499,000

Chris Ferguson



Stoke | 328 Suffolk Road



Extended Family Living Opportunity

A great opportunity in the heart of Stoke! This property offers a 3-bedroom brick home with a 1-bedroom granny flat. The home offers open-plan living with doors to the large patio area and gardens. Three double bedrooms and a double garage with ample storage. The unit has a double bedroom, open-plan living and its own outdoor area! Close to all Stoke amenities.



View Sunday 11.30-12.00
summit.co.nz/SR41047
Offers Over \$949,000

Chris Ferguson



The Wood | 8/39 Trafalgar Street

NEW LISTING



summit.co.nz/NR41111

Very Easy Care Central Nelson Apartment

Take a look at this north-facing, stylish and spacious, 2-level apartment in the very convenient 39 Trafalgar Street complex. Whether you are downsizing, starting out, or looking for an alternative for retirement, this 2 double-bedroom apartment with a tandem internal garage, offers desirable and secure living so close to all. The gated complex includes a pool, gym and BBQ area. Act now, the deadline for offers closes 4.00pm Wednesday 25 October 2023 (unless sold prior).

View Saturday 11.00-11.30

summit.co.nz/NR41111

Offers Over \$750,000

Bruce Batty

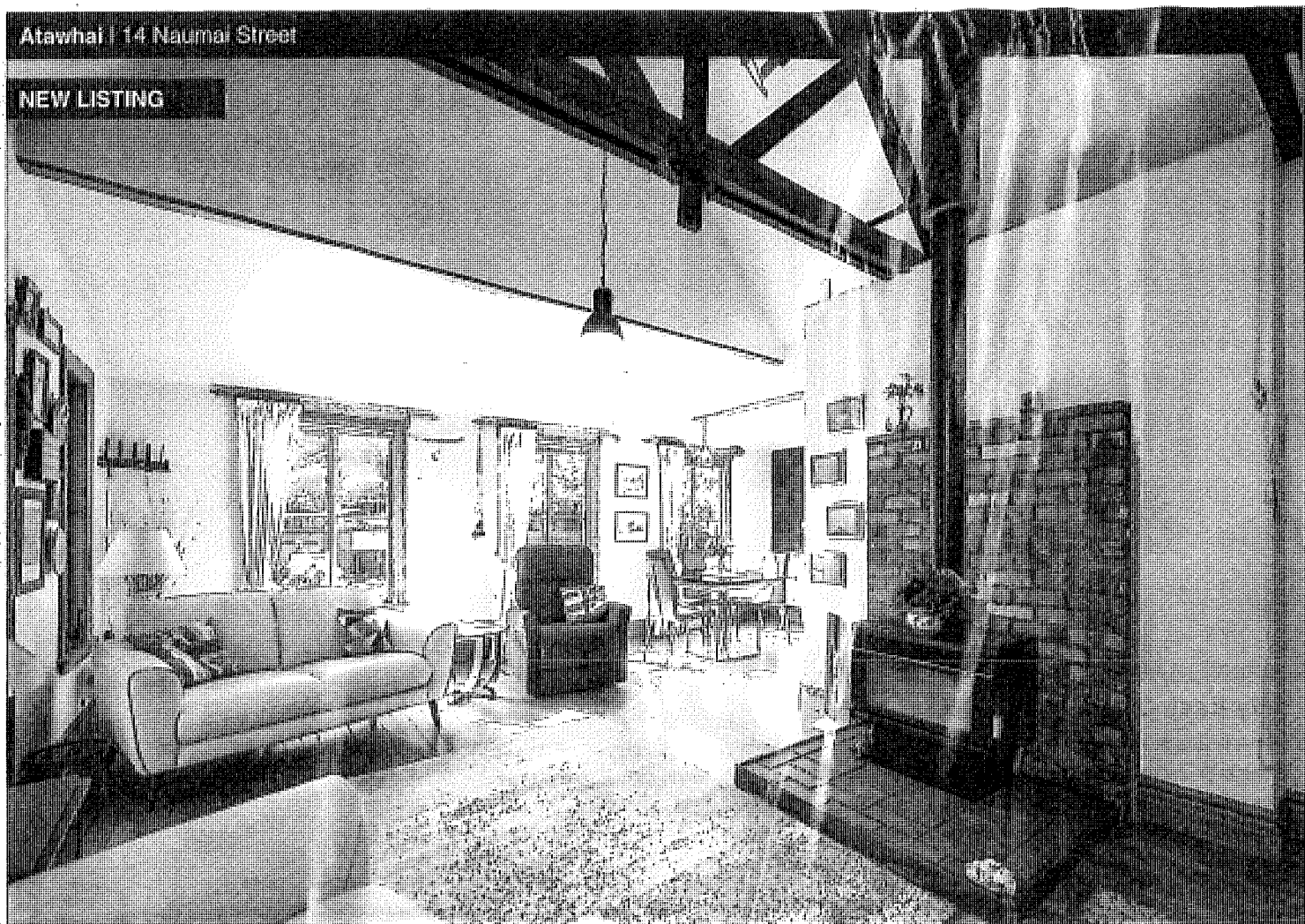
027 062 9777 | 547 5279



SUMMIT

Atawhai | 14 Naumai Street

NEW LISTING



Online submission

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

Submitter No.	S585
Submitter Name	Rosemary Cooke
Submitter first name	Rosemary
Submitter middle name	Jennifer Levingston
Submitter surname	Cooke
Submitter is contact	Yes
Email	rjcooke@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose		Cancel Plan 29

1. Plan29 negative effect on Nelson's Character and health of the citizens
Nelson residents have ranked the following among the top 6 preferences for housing
-Sunny

-freehold
-stand alone
-adequate garaging or off street parking

Plan29 housing is unlikely to meet these requirements. Design should be led by awareness of environmental impacts (eg.solar shading, concrete) and allow residents of all abilities to interact with nature in or from their living space (eg.green views, yard space.)

Nelson needs to focus on family friendly housing to attract stable , long term citizens who will contribute to the local community and economy.

2. I support medium density housing to a maximum of 4 storeys only within the CBD bordered by Collingwood St, Selwyn Place, Rutherford St. and Halifax St.
Inner City should be the starting place to have the most significant intensification, before introducing it to established residential neighbourhoods.

A better design vision for our residential neighbourhoods could be developed when the inner city comes under population pressure.

I support retaining 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.
City Fringe would be the next zone to phase in intensification.

3. Quality of buildings.

I am against high density housing in Nelson because the building of quality apartments is currently too expensive to provide well designed mid to low cost housing. Therefore developers will need to use cheaper "pack and stack" designs and take shortcuts with materials to make a profit.

Several Kainga ora multi one bedroom unit housing blocks are unhealthy examples of low

cost housing which can increase crime, insecurity and isolation amongst vulnerable tenants.

The need for Resource consent is an important part of the democratic process that enables nearby residents to inform the council and developers of implications for the local community of proposed development that they may not be aware of.

4. NCC's Population forecasts are questionable

a) These are a pivotal aspect for the scale of which Nelson needs to enable intensification and growth.

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.

Thank you for the opportunity to make a submission.

Online submission

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

Submitter No.	S586
Submitter Name	Michael McCarthy
Submitter first name	Michael
Submitter middle name	Anthony
Submitter surname	McCarthy
Submitter is contact	Yes
Email	tmauctionsnz@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
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Inner City
and City
Fringe Zones

Inner City
Zone

Oppose

The definition change quoted above is wrong and is an infringement of peoples right to reasonable and affordable housing, it appears to be preparation for another cash grab and in my view constitute a breach of human rights. This is not the New Zealand I want for my children. Please remove the definition a vehicle is NOT A BUILDING wether it is used as short or long term accommodation. Very disappointing slight of hand on the part of the Nelson council.

Documents included with submission

None

Section with proposed Plan Change end
Section with proposed Plan Change start

Building coverage means the percentage of the net area of a site which is covered by buildings, including overhanging or cantilevered parts of buildings. The following are not included in building coverage:

1. pergolas and similar unroofed structures
2. underground buildings where the rooftop is landscaped to be part of the section, including being developed into a courtyard or terrace area, or
3. that part of eaves or bay or box windows projecting 600mm or less horizontally from any exterior wall, or
4. outdoor swimming pools, decks or terraces which are not roofed over, or
5. fences, walls and retaining walls.

Building any structure, whether temporary or permanent, moveable or immovable, except for:

1. any scaffolding or falsework erected temporarily for maintenance or construction purposes, or

2. uncovered

2. uncovered swimming pools not higher than 1m above natural [ground level](#), or
3. [fences](#) and walls up to 2m in [height](#), or
4. masts, poles, clotheslines, and chimneys less than 1m wide and less than 3m in [height](#) above the point of attachment.

In the Residential, Inner City, Suburban Commercial and Industrial zones, a [building](#) includes a [vehicle](#) or motor [vehicle](#) (including a [vehicle](#) or motor [vehicle](#) as defined in section 2(1) of the [Land Transport Act](#) 1998) that is immovable and is occupied by people on a permanent or long term basis.

Received: 30/10/23
S587

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

SUBMITTER DETAILS

Full Name **CHANGE PC 29 INCORPORATED**

Address c/- Rout Milner Fitchett

Telephone email john.fitchett@rmflawyers.co.nz

The Society could not Obtain an advantage in trade competition through this Submission - nor could its Members)

Council Hearing The Society (henceforth "I") wishes to be heard in support of its Submission; and might be prepared presenting its Submission in a joint case with others of similar mind

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

If such opposition/withdrawal be not accepted/agreed,

I PARTICULARLY OPPOSE the following

1. the creation of a High Density Residential Zone ("HDZ"); and If such opposition is unsuccessful

I FURTHER OPPOSE

2. the inclusion of recession planes (in any Residential Zone) which commence at a height greater than provided in the current Nelson Resource Management Plan ("NRMP");
3. the inclusion of recession planes at any angle greater than provided in the NRMP
4. all and any maximum height (in any Residential Zone) in excess of 10 metres
5. the inclusion of "restricted discretionary" in the PC 29 in relation to any residential zones
6. the stated justification for
 - the proposal for a HDZ,
 - the proposed recession planes;
 - the starting heights for recession planes
 - the angle of recession;
 - permitted heights in excess of 10 metres in any Residential Zones;set out in the papers supporting the proposed PC 29
7. the omission of any encouragement to provide carparks in any new development in the area proposed to be zoned HDZ
8. the inclusion in the Rules of all provisions that mean that the "*planned built character of the zone*" is more important than (and therefore trumps) the negative effect which a proposed building and/or development would have on adjoining sites

ND005: 539570224-16944

9. the absence of any detailed comment
- as to the prospective loss in value that properties in the proposed HDZ will suffer if/when a six storey apartment block (with no on-site parking provision) is built (as of right – with no opportunity for neighbourhood input) 1 metre from the boundary;
 - as to the loss of amenity (and future traffic hazard) to the area in the general vicinity of such a building: caused by vehicular traffic trying to find carparks
 - as to the visual and amenity effect on neighbouring and neighbourhood properties of permitted height of 19.5 metres, and recession plane only commencing at 12 metres

AND if the Plan Change is to proceed in any form **I SUPPORT** the principle of planning for increased residential use in the Inner City and Fringe Zones

THE GROUNDS/REASONS for my opposition include

- 1 I (and my non-corporate Members) bought my home in an area where I knew that there was existing legal protection of residential amenities (in particular as to height and sunlight); and I reasonably expected that to continue
- 2 The whole basis for the Plan Change (i.e. the expected increase in population) is false and Council did not rely sufficiently on Statistics NZ figures;
- 3 There have been no neighbourhood meetings or consultation with neighbourhoods as recommended in the Future Development Strategy adopted in August 2022 by Council
- 4 The justification for the high starting point for recession angles, and the degree of such angles (as set out in the Section 32 Report) becomes irrelevant if the maximum height is 10 metres (or lower)
- 5 A height of 10 metres allows for two storey houses/apartments – or three storey if designed with expertise
- 6 The only “*planning*” logic in the boundaries/location of the HDZ is proximity to transport and commercial centres
- 7 The provisions of the proposed Plan Change will not provide “cheaper” accommodation for anyone.

and all other grounds set out in other Submissions opposing the whole theory of High Density Zone

I SEEK the following decision

- 1 Rejection of the whole Plan Change 29; and If that is not accepted

I SEEK

- 2 the deletion of the HDZ from PC 29; and If that is not accepted

I SEEK

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

and

- 5 An amendment to ensure that any non-compliance with Rules REr.18J or REr.19J (both as to height), and/or REr.18K or REr.19K (both as to daylight admission) be considered as “non-complying” – and not as Restricted Discretionary or Discretionary;

- 6 an amendment to ensure that, if at least one car park is not provided for each residential unit in the areas presently proposed to be zoned HDZ or MDZ; any failure to comply strictly with all other Rules in Rules REr.18 or REr.19 set out in the PC 29 will mean that the proposal is to be considered as "non-complying";
 - 7 an amendment throughout the proposed Plan Change to ensure that the expression *"the ability to achieve the planned built character of the zone"* (and similar expressions) be removed;
 - 8 an amendment to ensure that height limitations for developments in Inner City Fringe ensure that properties actually adjoining a Residential Zone are obliged to meet the height limitation applicable within such Residential zone
- together with a re-drafting of Objectives and Policy portions of the Plan Change to appropriately reflect all the foregoing

I REQUEST that Council appoints an independent Panel (ie no present Councillors) to hear the Submissions

I (i.e. my Members) ACKNOWLEDGE that I have found it difficult (in fact impossible) to digest the total effect of the proposed PC 29 and its supporting documentation of over 2,000 pages.

I CONSIDER that some of the publicity coming out of Council (in relation to the Plan Change) has been positively misleading.

I HOPE that more qualified citizens will make more comprehensive Submissions covering my concerns as to ongoing protection of existing views and access to sunlight: for all residential occupiers; and absence of any encouragement to provide parking.

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

CHANGE PC 29 INCORPORATED

(over the hand of 2 Members with the authority of the majority of the Membership)


.....
John Fitchett
Member


.....
A.K. McNabb
Member


.....
Date

NB TO BE DELIVERED TO Nelson City Council; or
SENT to environmental.planning@ncc.govt.nz by 4.00 pm 31st October

S588

Voided