

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 27/10/2023

Sub No: S451

NDOCs: 539570224-16638

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Full Name: <u>Lewis Gaine Hedman Thompson.</u> Address: <u>/</u> Telephone: Email: <u>gaine@tpg1.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

Intensification with multi story buildings should be limited to those sites that don't block or shade those behind them for example in front of a steep bank such as around Haven Road, part of Wakefield Quay, Rocks Road the road up to Walker Bluff on hill side: picture attached.

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

Encouragement to develop hill side subdivisions where houses look over their neighbours, and on sunny faces get plenty of sunshine.
 Push to have less stringent regulations so that upper floors of existing inner city buildings can be converted for residential

Don't destroy Nelson's character and create future slums.
I acknowledge that my name and address are required to be made publicly available

Lewis Gaine Hedman Thompson

Submitter

25th October 2023

Date

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

Tuesday 19th September - 31st October.





RMA Submission Form for Publicly Notified Plan Change 29



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

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

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

OFFICE USE
Submission No: S452
Date Received Stamp: 30/10/2023
NDOCs No: 39570224-16640

*Required

Submitter Details

Full Name*	Claire McKenzie		
Organisation	n/a		
Contact Person			
Postal address*			
Telephone*		Email*	Claire.mck@hotmail.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.

C W McKenzie

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)

27/10/2023

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)

I generally support the Plan Change as there are many compelling reasons why we need to encourage intensification of development:

- To reduce urban sprawl onto productive farmland
- To reduce infrastructure costs
- To reduce reliance on private cars to access services
- Reduce transport costs
- Improve the vibrancy and safety from having people living in the city centre
- Increase the number of people who can easily walk, or use other forms of active transport, to access key services and activities.

I believe urban intensification is the right thing to do, even if the NPS-UD were to be 'weakened' in the future. This is about planning for the future, which needs to look quite different from the past in many ways.

I don't think that you need to 'stop' plan change 29, but there are aspects that could be amended and/or clarified or paused.

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).

The proposed high density zones of up to 6 storeys would be best suited to the inner city core and city fringe. They would be out of character for Nelson if extended much further than that.

I am happy to see medium density and general residential zones having up to 3 storeys and 2 storeys respectively.

I am happy to see reduced provision of carparking provided on-sites. The future is not about everyone having private motor vehicles (not even EVs) and especially in the inner city there is less need for this. Walking and cycling corridors and better public transport (such as the recently improved bus service – thank you!) will help to reduce reliance on cars – and intensification makes it more viable to provide these.

I support that there be some areas that have heritage or other special character that will need to be protected and thus have some different rules.

I think it would be important to have some design guidelines to accompany the new proposal. Those developing private sites, tend to do what they want to do with the site and this isn't always in keeping with the overall context or goals for the city, or with thought to the immediate surrounding area. Some design guidelines will help to achieve the broad goals and provide amenity that is needed.

There would be value in doing the spatial neighbourhood plans that have been discussed and consulting during their preparation.

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.

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

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

Submitter:

Full Name: **Stephen Webster**

Address:

Nelson South

Email: **stevw.stevw@gmail.com**

Signature of Submitter:



Date: **28th October 2023**

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

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

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

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

- a) That I have found it difficult to digest the total effect of the proposed PC 29 and its supporting documentation due to its size and complexity.
- b) That access to a paper copy of PC 29 and the Section 32 reports has not been made available for residents who do not have access to, or the ability to use a computer.
- c) That I have found PC 29 lack of early public engagement and consultation by Council, with its severe implications towards the well-being of existing rate paying residents enjoyment of their properties, extremely stressful, very time consuming and unnecessary.
- d) That I have been put in a position of hoping more qualified citizens than I, will make more comprehensive submissions covering my concerns as to the future of Nelson and its ratepaying residents.
- e) That Council Planning Staff have stated at numerous meetings "This is a 'Broad Brush approach' that requires public submissions to refine the plan". Such a statement implies PC 29 has been prematurely put out for public submissions in an incomplete and inaccurate state that requires the public to learn and understand in its entirety, so they can formulate and articulate a suitable response.
- f) The severe lack of Trust between residents and Council has become significant given the following:-
 - i) The PC29 submission timeframe was only extended from 27 to 56 working days because of public pressure at 7th Sept public meeting.
 - ii) PC29 media engagement was only increased because of public pressure at 7th Sept public meeting.
 - iii) Information regarding the negative impacts on existing residents' enjoyment of their properties is not forthcoming in every interaction with NCC members and staff. It is

‘Deceit by Omission’ and has required individuals to research PC 29 to find out these aspects and share them with the wider public. Eg.

- (1) Loss of winter sunlight with new recession planes.
- (2) Loss of on street car parking with increased intensification due to no requirement for on-site car parking.
- (3) Loss of privacy with bigger buildings that are closer to boundaries.
- (4) Loss of property value with loss of views, sunlight, and privacy.
- (5) Increased levels of noise with increased residential dwellings around a boundary.
- (6) Residential unit numbers per building can be increased on a ‘restricted discretionary’ basis without notification or written approval.
- (7) Exaggerated population forecasts.
- (8) Council voted **NOT** to withdraw PC 29 on Sept 14th Meeting.
- (9) Predetermined biased Councillors on the hearing panel.
 - (a) I am asking Council to immediately withdraw PC 29 and get Council Planning staff to refine the plan design and then put it back out for public consultation.

2) Hearing Panel

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

3) NCC’s Population forecasts

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

4) Design Lead and Not Developer Lead Growth.

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

provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.

- i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts to that of areas of historic character value from the early settlement years of Nelson and stop future 'out of character' developments.
- ii) I ask the Council to appoint an Urban Development Agency (UDA), as per the Nelson Tasman 2050 proposal, (attached) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

5) Sunlight Recession Planes and Shading Effects

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

- (2) I strongly support the inclusion of Daylight and Sunlight policy statement Para RE2.3.i: The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided 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 (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) Intensification in hazard zones

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

10) On-street carparking

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

- g) Access for pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles is difficult and unsafe.
- h) Intensification, without providing on-site car-parking in these narrow road access areas will cause fracturing of neighbourly relations and communities who live in these areas.
- i) See attached photos (Mt St 1-6 and Konini St 1 & 2)
 - i) I strongly recommend that the Hearings Panel conduct a thorough site inspection of the narrow streets of Nelson including, (but not limited to) Locking St, Mount St & Konini St, including on foot.
 - ii) I ask Council to provide a 'Comprehensive car parking management plan' as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against the issues of on-street parking.
 - iii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.
 - iv) I ask council to restrict more intensification in the neighbourhoods with narrow and hazardous road access to Standard Residential zoning for road user safety reasons. Eg (But not limited to:-) Mount St, Konini St, Locking St, Locking Tce, Northesk St (East) and Renwick Place.

11) Social Housing

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

12) Infrastructure

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

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

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

Submitter (Complete details below):

Full Name: Jenny Meadows

Address: |

Telephone:

Email: meadowsjen@gmail.com

Signature of Submitter:



Date: 27 Oct 23

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

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

I reject PC 29 in its entirety, and here is why ...

I'm from Texas originally. Fifteen years ago I came to New Zealand on a visitor's visa and met a Kiwi. He showed me around the North Island, where he'd grown up, and introduced me to his relatives. All of them lived in rainy valleys or flat places with no view of the sea/ocean. He followed me back to Texas. We married and lived there for 6 years, but I refused to move to NZ with him until he could find a home partway up a hill with a view of a bay big enough for ships to come in, snow-capped mountains in the distance, more sunshine than rain, and a small population that was highly invested in the arts and culture. He found Nelson 8 years ago, and we rented here until 3 months ago when we bought a home on Rainbow Drive in Atawhai. In both the rentals and our home I got everything on my wish list.

Now this Plan Change 29 appears to allow 3- to 5-storey apartment buildings on Rainbow Drive and in Atawhai. I love my view of the ocean – I mean, why would I move to an island in the South Pacific from flat, hot Texas with a view of my neighbours' homes if I was going to be looking at more walls? I want my uninterrupted view of the sea and the nature reserve behind us.

Forty-five years ago, on my first trip outside the continental US, I flew to Kauai, Hawai'i via Honolulu. As we approached Honolulu, the pilot proudly announced that he would dip the wings slightly so we could see. I had a window seat and was sooo excited ... until I saw what looked like New York City with a tiny sliver of beach in front of it, each building craning to be higher than the one in front of it so the high-paying residents on the top floors could see the

sea. I wept. I couldn't get out of there soon enough. Kauai was beautiful – no high-rises. They'd learned their lesson from cyclones and earthquakes, and had an ordinance that nothing could be more than 3 storeys tall. I would have been happy to live there if it weren't so isolated.

If you want to put up high-rises in central Nelson, I'm semi-OK with that. However, I do notice the plaques in the sidewalks indicating where the coastline used to be, so a lot of Nelson towards the current coastline is sitting on infill. My concern is about what the weight of multi-storey buildings (plus the weight of their residents, furniture, and cars) will do to the land. Will it start sinking? Flooding? Becoming abandoned? We're already seeing damage to the roads from the new heavy buses.

Nelson's current parking situation is abysmal. In tourist season, the situation is even worse. If the high-rises DON'T have internal parking garages, the residents will be taking up the few spaces allowed for people coming into town to shop, and the residents will be paying a huge premium for their daily parking.

I am alarmed when I read about the hearings panel. I doubt their ability to be objective and circumspect. An independent hearings panel, none of whom are elected councillors, should be appointed to read the many submissions about Plan Change 29.

From what I've read about this whole process, it's been slipshod from the outset, without including from the beginning the residents it proposes to affect, and without research by technical experts of the areas proposed to be involved. I also don't see how the proposed intensification mirrors the much-lower forecasted increase in the population of Nelson/Tasman in the next 30 years.

Nelson is a tourist location for a reason – it is quiet, has lovely views and friendly residents, has unique features like the Boulder Bank / estuary / Brook Waimarama Sanctuary, a nice beach with wind surfing / kayaking / paddle boarding / yoga / drum circles, surfing if you go far enough out on Boulder Bank Road on a windy day, good hiking/biking trails, a great Saturday market, and excellent year-round festivals and arts. It's also a jumping-off point for Abel Tasman and Kahurangi national parks for camping and tramping.

Nelson is the Sunshine Capital of NZ and is one of the reasons I moved here specifically. I love that we have a full veggie garden – we grow about half our food – as well as a lot of flowers and a few beautiful trees. I oppose anything that would block the sun from our precious plants. We also rely on the sun to heat the house during the day, and the breeze from the nearby bay to cool us when needed.

Out here in Atawhai, the cars start lining the streets by 4pm and stay that way until about 8am. Drivers do-si-do to get past each other without hitting parked cars, cyclists, and pedestrians. The neighbourhood is full of children, too, and their parents take them to the park and eel-filled creek on Atawhai Crescent.

Some of the topography is flat or gently rising, but a lot of it is steep, with scars from slips. Building below or above those areas would be unwise, and possibly against NCC or

government regulations. If it isn't, it should be. The area is also full of birds and birdsong – likely a spill-over from the Brook Sanctuary – and having multi-family dwellings and their cars would disturb the peace. If PC29 goes ahead in Nelson, please let Atawhai keep its low-density housing zoning.

Rev 0.1

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

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

Submitter (Complete details below):

Full Name: *Philippa Rosemarie Hault*

Address:

Telephone:

Email: *haulty@xtra.co.nz*

Signature of Submitter: *P. Hault*

Date: *27th October 2023*

Delete as applicable: -

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

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

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

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

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

- i) I am asking Council to withdraw PC 29 and get Council Planning staff to refine the plan design and then put it back out for public submissions.
- f) Despite numerous requests, Nelson City Council (NCC) has refused to contact by email or letter, all 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 or letter. My reason for requesting this is that many property owners were in other parts of the country or overseas, when PC29 was publicly notified and are therefore likely to be unaware that their property is to be rezoned. This is even more likely this year, as we have a multi-cultural population, and following years of restricted overseas travel, this has been the first winter that people have been able to easily travel abroad to have a holiday or visit friends and family. Essentially, not all Nelson property owners are aware of PC29, or it's implications, on their property and their tenants.
- g) Over 19 submissions (313367, 31432, 31483, 31518, 31541, 31641, 31612, 31619, 31621, 31631, 31651, 31672, 31694, 31698, 31722, 31741, 31746, 31781, 31794, 31355) were lodged opposing the Nelson Tasman Future Development Strategy (NTFDS) proposal that areas in Tahunanui be zoned suitable for 6 storey buildings. All these submissions have obviously been ignored, as PC 29 proposes HDZ for that part Tahunanui. Also, I could not find 1 submission supporting the construction of buildings over 2 storeys on the Tahunanui Hills. As a resident, without a professional qualification in making submissions, I can't help wondering if my submission, and those made by many other people in our community, will also be ignored, despite the amount of personal time and effort we have spent making them.

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

3) NCC's Population forecasts

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

4) Design Led and Not Developer Led Growth.

- a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations. Therefore, Nelson has been a cherished holiday destination for many New Zealanders and international travellers, and this is an important part of the local economy.
- b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.
- c) We need to protect and retain CBD historic facades as an essential part of the character of the Inner City.
- d) Contemporary Black Iron Clad Boxes, built only a few metres from 120-year-old Historic Homes is a thoughtless lack of long-term vision for maintaining the attraction of Nelson for all the future residents and visitors.
- e) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson. This must all be considered when developing plans for the growth of Nelson.
 - i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts that still have historic character value from the early settlement years of Nelson.
 - ii) I ask the Council to appoint an Urban Development Agency (UDA) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.
- f) I ask Council to consider advice from Nelson Tasman2050, <https://nelsontasman2050.org.nz/> which 'is an independent think tank of built environment professionals sketching pathways towards a better future. Our mission is to help create vibrant communities through advocating, promoting and supporting our transition to resilient, sustainable, affordable, equitable and community-focussed urban environments through Quality Intensification'.

5) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a **CRITICAL** part of living in Nelson. It is called the 'Sunshine Capital of NZ' for a very good reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege. When people purchase a property in Nelson, the cost is often directly related to the amount of sunshine that that property gets and so it is abhorrent that this sunshine could be taken away without a property owners consent.
- b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>
- c) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -
 - i) Increased levels of mental health illness, anxiety and stress.

- ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
- iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
- iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing being old, and so have un-insulated walls and single glazing which were legislated out of use many years ago.
- v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
- vi) Residents, struggling with the cost-of-living crisis, and especially those who depend on passive solar heating, may not be able to afford to heat their home.
- vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units if they COULD be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.
 - (1) I ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.
 - (2) I strongly support the inclusion of Daylight and Sunlight policy statement Para RE2.3.i: The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided for daylight controls on all side and rear boundaries. The policy also applies to larger non-residential buildings such as schools or halls. The basic premise is that the daylight and sunlight received on a residential site should be no different whether or not the neighbour is residential. This philosophy applies whether the building is on an adjoining site or across a street.
- viii) If a property gets less sunshine, it will be more expensive to maintain and landlords will find it more difficult to attract suitable tenants.
- ix) PC29 is supposed to be based on the Nelson Tasman Future Development Strategy (NTFDS). As part of that strategy, the 'Housing Preference Survey 2021' shows that the most important feature of a dwelling, after 'Safe from Crime', was 'Freehold Title' and 'Sunny'. For renters, after Safety, 'Sunny' was the highest-ranking property feature. Over 97% of people rated 'Sunny' as being the top property feature.
- x) There is a Nelson home that is one of the most sustainable in the country: <https://www.stuff.co.nz/nelson-mail/nelson-top-stories/132536829/nelson-home-one-of-most-sustainable-in-the-country> There could be many more homes like this in Nelson, and we could be a world showcase for such homes, but this won't happen and homes like this won't be built if there is a risk that a property will lose some of its sunshine hours.
- xi) Nelson is one of New Zealand's prime areas for fruit and vegetable production due to it's climate (especially sunshine) and soils. By reducing the sunshine hours that people get on their property, you reduce the ability for people, and especially families, to grow their own food. You therefore take away an essential part of sustainable living. By taking away this right, not only do you affect people's ability to live sustainably, but you also impact

on their overall health, and in particular, their mental health, as gardening is renowned for having many mental health benefits.

- xii) I, and the majority of Nelson residents, bought our homes in an area where we knew that there was existing legal protection of residential amenities (in particular as to height and sunlight); and we reasonably expected that to continue.

6) Privacy and Outlook

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

7) Intensification

- a) I strongly oppose the High-Density Residential Zone. It is by no way in character or in keeping with any existing 'Low Rise' Nelson residential suburb and beyond the MDS legal mandate.
 - i) I ask Council to remove HDRZ from the plan completely.
 - ii) I ask Council to apply the new General Residential Zone equally across the entire Nelson district on the introduction of PC29, on the basis that AP15 Daylight Admission protection rules will apply to all pre-existing properties, unless the owner gives written approval to the contrary.
- b) I am strongly opposed to all new 'Green Field' developments being used for only single storey dwellings as it is a complete underutilisation of land that can accommodate increased intensification.
 - i) I ask Council to ensure a minimum of two storey dwellings be built on all new green field developments. Eg Golden Elms in Toi Toi, Ngawhatu Valley, Tasman Heights, Marsden Valley and Bayview in Atawhai.
- c) Building holiday apartments that sit empty for long periods, does not solve our intensification, growth and affordability dilemma, and yet it locks up our valuable housing resource. Eg Rocks Road, Haven Road and the Ocean View Apartments on Beach Road, have many empty apartments, that are used solely, or mainly, for Air BnB and other holiday accommodation.
 - i) I ask Council to consider solutions to mitigate against new-build empty holiday apartments.
- d) I oppose the increase of residential units beyond 4, as a **restricted discretionary** activity that does **NOT** require notification and written approval from neighbours.
 - i) I ask Council to ensure that more than 4 units requires notification, to restrict large 'out of character' accommodation blocks spanning multiple sections, and taking up lots of on street car parking spaces, popping up in a residential street, without warning.
- e) Bigger older properties, could be better utilised and help with our growth if they were more easily allowed to be divided into multi-dwellings.

- f) Building inner city apartments that offer an alternative solution to 'retirement villages', can free up the bigger homes for new families to occupy. The 'retired' occupants may also be less likely to be reliant on a vehicle, which may more closely suit the growth model desired.
- g) Designing Inner-City roof gardens and balconies with green spaces for commercial hospitality use or places for apartment living residents to relax and enjoy the Nelson Sun.
- h) Incentivise rate paying residents to demolish or relocate their house in favour of replacing more units on the same section providing they comply with the suitable character or heritage of the neighbourhood.
- i) There is no equity with PC29.
 - Large developers, social housing providers and government organisations (e.g. Kainga Ora), are the only ones that can afford to take advantage of PC29 allowing multiple storied buildings.
 - Homeowners and small property investors will be too scared to invest in their properties and build affordable additional dwellings if there is any risk of a developer building a multi-storey building without their consent on a neighbouring property and thus reducing the value and desirability of that investment.
 - Property owners will also be reluctant to invest in property upgrades, such as garden and solar power or heating systems, if their property's sunshine hours could be reduced by nearby developments (which would make these improvements inefficient and therefore worthless).
- j) I do not oppose multistorey residential buildings in the centre of Nelson, and perhaps up to 3 or 4 storeys in the commercial zoned area of Stoke, but these should ideally be permitted on a case-by-case basis, requiring a resource consent application and approval from neighbours.
- k) The implications of future garaging and carparking, which is not included in site coverage, taking up green space, needs to be assessed, as this will potentially have a dramatic effect on stormwater discharge from properties.

8) Progressively Phased Intensification

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

- i) I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) *if required and over time*, providing AP15 Daylight Admission Protection rules remain in force for existing properties.

9) Intensification in hazard zones

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

10) On-street carparking

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

11) Social Housing

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

12) Infrastructure

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

13) Social Impact Study

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

14) Section 32 Evaluation Report is inadequate.

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

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

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;

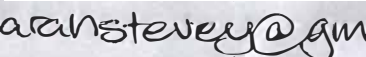
- 6 an amendment to ensure that, if at least one car park is not provided for each residential unit in the areas presently proposed to be zoned HDZ or MDZ; any failure to comply strictly with all other Rules in Rules REr.18 or REr.19 set out in the PC 29 will mean that the proposal is to be considered 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 (i.e., no present Councillors) to hear the Submissions.

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: **MR S BOULTON**
Full Name: **STEPHEN ALLAN BOULTON**
Address: 
Telephone: 
Email: **sarahstevvey@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 car parks 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.

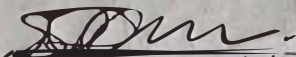
For further in-depth information please refer to our neighbourhood group submission.

Other comments or concerns I have about Plan Change 29

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

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

Submitter signature



Date **26/10/23**

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

Rev 0.1

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

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

Environmental.planning@ncc.govt.nz

Submitter :

Full Name: Laraine Rothenberg

Address:



Telephone:

Email: laurie.rothenberg.ny@gmail.com

Signature of Submitter:

Date: October 30, 2023

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

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

I reject PC 29 in its entirety, because there does not appear to be consideration to the facts.

- Above Bronte Street there are significant earthquake faults near the proposed High Density Residential and Medium residential areas. To place building of 6 storeys or even 3 storeys near earthquake faults is foolish.
- The high density area from the city center should not continue pass Hardy Street and Selwyn Street and certainly not extend beyond Nile street. It should definitely not include the area between Nile Street and Bronte Street as bounded by Trafalgar and Shelbourne and Collingwood Streets where they intersect with Bronte Street given the elevation of Bronte Street .A building of 6 storeys would be effectively massively greater then 6 storeys given the high elevation of Bronte Street as compared to Nile Street. It is inconceivable to me that it can be appropriate to install buildings of 6 storeys or 3 storeys on land which is significantly above sea level. This should not be replaced by a Medium Density Residential Zone but should be limited to General Residential Zone of two storeys.
- it seems like the planner known nothing of the area when it took what is known as the Dress Circle with scattered heritage homes and made the area available to six storeys to totally ruin the neighbourhood and its wonderful homes and ambiance. Why this area was singled out for 6 storeys is a mystery to me and others. If Nelson is in need of buildings of 6 storeys, which I doubt, the buildings of 6 storeys and 3 storeys should not be placed in established neighbourhoods with heritage homes but in areas that are ripe for reconstruction due to decay or other reasons or already zoned for commercial buildings. Thus the Medium Density or High Density Zones must end at Nile street and not extend to Bronte Street

between Collingwood and Trafalgar streets. Bronte Street should be considered and zoned similarly to Brougham Street.

- Whatever land is used for two or more storeys should have a minimum square meter area. It is not appropriate to have skinny tall buildings.
- I believe that each Council member voting on the proposal should indicate any possible conflicts of interests and relations with developers and real estate persons.
- In addition, the Sunlight Recession Planes and Shading Effects must be continued. Privacy and outlook must be preserved for existing homes. Intensification must be considered.
- It is not appropriate to think that people will not have a car if they can walk to the centre of town. People in towns still need cars to go away on weekends or visit friends in other towns. Thus, parking must be part of any plan with developers asked to include parking spaces in any new construction and pay for necessary infrastructure.

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. I have the following additional points.

1) 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 and other historic homes (that are under 100 years old) to be torn down and replaced with buildings of 6 storeys or three storeys is a thoughtless lack of long-term vision for maintaining the attraction of Nelson for all the future residents and visitors.
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 - ii) I ask the Council to appoint an Urban Development Agency (UDA) with representatives from various areas in Nelson, to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

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- 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.
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3) Privacy and Outlook

- a) Privacy is a critical part of enjoying a property.
 - i) Windows in walls of buildings on or close to boundaries and the outlook rules should 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. With certain plots these massive building can be oriented towards the side of a neighbour creating a untenable situation for existing homeowners. In fact, the threat of orientation or a building may force owners to sell to developers.

4) Intensification

- a) I strongly oppose the High-Density Residential Zone. It is by no way in character or in keeping with any existing 'Low Rise' Nelson residential suburb and beyond the MDS legal mandate.
 - i) I ask Council to remove HDRZ from the plan completely.
 - ii) If any plan is adopted it must apply equally in impact to all property. The new General Residential Zone if adopted should equally across the entire Nelson district, on the basis that Daylight Admission protection rules will apply to all pre-existing properties.
- b) I oppose the increase of residential units beyond two in one storey, as a **restricted discretionary** activity that does **NOT** require notification and written approval from neighbours.
 - i) I ask Council to ensure that more than 2 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.
- c) Building inner city apartments that offer an alternative solution to 'retirement villages', can free up the bigger homes for new families to occupy.
- d) 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.

5) Intensification in hazard zones

- a) I ask Council to apply no greater than General Residential Zoning rules in all Hazard overlays as well as throughout, 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.

6) On-street carparking

- a) Increased intensification will result in more on-street car parking and the narrow streets of Nelson will become a hazard to pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles. This will cause fracturing of neighbourly relations and communities.
 - i) I ask Council to provide a 'Comprehensive car parking management plan' to mitigate against these issues.
 - ii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.
 - iii) All new buildings should include underground parking for residents.

7) 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.

- d) Appropriate areas should be found for this housing that does not impact existing residential neighbourhoods.

8) 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.
- d) Developers should contribute towards these infrastructure costs. These cost could be more easily identified and be placed on the developer if areas outside of the existing neighbourhoods are found that would actually benefit from development. The idea that the housing needs to be near the existing city center so less cars are used is an invalid assumption and should not dictate the planning.

NRMP Proposed Plan Change 29

Submission by Nelson Historical Society Inc on issues relating to heritage

We wish to be heard (Mary Gavin, President)

The Nelson Historical Society respectfully submits the following submission in support of our concerns about the impact on the city's heritage as a result of NRMP Proposed Plan Change 29.

We OPPOSE Plan Change 29 in its current form because of the removal of protection in key historic areas and the risks of irreversible negative consequences to Nelson's heritage resources.

Our Voice

Nelson Historical Society (Incorporated) was founded 70 years ago and currently has 250 members. The objects of the Society are : To gather and record the history of the northern part of the South Island in order to educate the public and foster understanding of our heritage; To promote public awareness of that history by organising meetings, field trips to places of historical interest, and other similar activities; To undertake, encourage and support research into historical matters, including the publication of the outcome of such research; To be a strong advocate for greater awareness and preservation of historical values.

Why is our heritage significant and worthy of protection?

Nelson's history is very significant within the New Zealand context and is well-documented.

In principle, the Nelson Historical Society is not opposed to the expressed aim of PC29 to facilitate built intensification in the city in order to address our growing population and lack of suitable housing. However, we register deep concern where such intensification threatens, destroys and adversely affects the protection of our rich collection of built heritage precincts, buildings, and of sites of cultural significance. We want and celebrate diversity in our streetscapes but not at the expense of our special character and heritage. We do not wish to see the central city become entirely vanilla: full of bland concrete, steel and glass buildings housing that can be found in any other city around the country.

The Nelson Provincial Museum's Tyree Studio photographic collection is recognised on New Zealand's UNESCO Memory of the World Register as an item of recorded documentary heritage having national significance. Combined with the FN Jones collection, it amply documents the city's growth and development in terms of its buildings, streetscapes and social history. We would hate in time, to find the only reference to our past streetscapes, is through viewing those photographic images.

We request that Nelson City Council works with the heritage sector to prevent adverse effects and, in many cases, irreversible damage to or destruction of Nelson's built heritage, character and visual amenity caused by lack of adequate regulatory protection, inappropriate subdivision, and insensitive use and development in the city. Decisions made in this area are very inflexible - once heritage buildings and sites are compromised or gone, we cannot get them back.

Our concerns and suggested remedies are as follows:

1. The flaws in the underlying research which have influenced decisions about the deletions from the NRMP heritage register.

Concern: There are anomalies, errors and omissions in the current Plan Change 29 list of the city's rich collection of heritage sites/settings, buildings and precincts, and archaeological and Māori sites. The updated list is based on the reports of HPC, Dr Anne McEwan who had noted with concern that there is no reference to historic heritage resources in the Nelson Tasman Future Development Strategy 2022-2052. She recommended a directive to planners to reference the Wilson's *Thematic Historic Overview of Nelson*, 2011. This has clearly not happened and we query how some decisions were reached. It appears that the planners have been selective in their use of the McEwan reports and the priority of the chronology. Some key recommendations have been ignored (e.g Recommendation 3 for all PC29 planning maps to visually identify and acknowledge the receiving environment for intensification) and some anomalies have been created by inconsistencies (e.g removing the inner city heritage precinct which removes the protection for 264-268 Hardy Street which Dr McEwan had assumed the building will receive, even when removed from Appendix 1). Dr McEwan's interchanging use of the terminology 'values' and 'significance' has compounded the confusion.

Remedy:

- A robust and comprehensive review of the list of current and proposed buildings, and heritage precincts, sites and settings areas on the NRMP S32 Report Appendix 3N to identify and remedy errors of fact, anomalies and omissions.
- Review to be undertaken by suitably qualified and experienced conservation architects, historians and archaeologists so ratepayers and council can be provided with all the information required to make informed decisions.
- Review should actively reference the recommendations of Wilson's *Thematic Historic Overview of Nelson* and the five pou kōrero or principles of the Taonga Tuku Iho Strategy 2022-2032
- Reassess and consolidate the use of the 2 sets of criteria, AP1.1.xii and AP1.1.xviii which, although explained, is unhelpful methodology.
- Facilitate full public access to the heritage building inventory which is currently unwieldy and counter intuitive to access and assess.

2. Risks in the classification of specific items in S32 Appendix 3I- currently scheduled items recommended for deletion:

Concern: Our small city has a unique charm of its own, with a collection of grand Victorian and Edwardian homes, working class timber villas and bungalows and commercial buildings as well as markers on sites of significant interest which tell our stories. Although we support having just two categories A and B as best practice, we are deeply concerned that many of the buildings currently covered in the plan's C list are proposed to be deleted, rather than being moved up to the B list. If the markers such as memorial plinths, cairns and noted environmental features are removed, it not only disrespects the significance of the site but also the people who worked to tell the original story that then became history.

Remedy:

- Appendix 3I Classification list to be reassessed and redone, and peer reviewed. Note: Some buildings of historical significance do not appear on any current list, or the proposed A or B lists.
- Expand the current lists which disproportionately cover only residential buildings, to recognise and include buildings and sites relating to the city's commercial and industrial past.
- Include all Heritage New Zealand (formerly New Zealand Historic Places Trust) listed buildings on the Nelson register of heritage buildings and sites. The omission of some items appears to be an oversight as there is no discernible pattern in what is included and what is omitted.
- Respect the intentions of those who placed memorial plaques, cairns and markers of significant sites. e.g Smith's Ford headstone identifying a historic burial place. McEwan recommends that the headstone site should be deleted from Appendix 1 but be recorded as an archaeological site and noted by NCC in relation to management of the road reserve. However, it is unclear what if any regulatory protection results from this action.

3. Consideration of Archaeological and Maori sites

Concern: Archaeological and Māori sites of heritage and cultural importance, such as middens, cemeteries and gathering places, are not included in the scope of the register contained in this Plan Change. We do not feel the 'old rules' will be enough to protect such sites from the impacts of intensification. People visit and enjoy Nelson for numerous reasons. Cultural tourism is one. People enjoy walking around our streets and seeing sites that illustrate and celebrate our past. This is enhanced by a growing number of heritage panels that tell our Māori and Pakeha stories. It is important to demonstrate that our Māori history underlays our Pakeha history and both should be protected and celebrated concurrently. This importance has been recognised in the weaving images of Taonga Tuku Iho Strategy 2022-2032 which PC 29 **must** reference.

Remedy:

- Include archaeological and Māori sites in the schedule and note the appropriate protection which is consistent with other existing regulations.
- Require cross referencing to extant peer-reviewed professional archaeological and cultural reports such as found in [Search the Archaeology Digital Library | Heritage New Zealand Pouhere Taonga](#)

4. Insecurity of the interim heritage protection for current category C buildings

Concern: We are very concerned that, under the terms of PC29, the protections have already lapsed for the heritage buildings proposed to be removed. This opens up the possibility that some significant buildings and sites of historic significance could be altered or possibly removed before this plan change has gone through due process and been confirmed. Applying the deleting recommendations as stated in Appendix 3I will seriously impact the heritage values in Rutherford, Hardy and Bridge Streets, as well as Russell Street (examples of workers' cottages and also construction on Native Reserves) and Hastings Street (examples of inter-war bungalows).

Remedy:

- Ensure that current heritage building protections continue throughout the Plan Change 29 process.
- All buildings on the C list be moved up to Category B as an interim measure.

5. Threats to the Inner City Heritage Precinct, Wakefield Quay Area of Special Character, height regulations in Heritage Precincts.

Concern: We strongly oppose the proposal to remove the Inner-City Heritage Precinct. The stated justification for this is inadequate.

We also question the removal of the Wakefield Quay Special Character Precinct which dismisses recognition of the historic importance of this area, despite the amenity values of the area being well-articulated in the Nelson Resource Management Plan (01/09/04). The assessments on the records of individual properties in Appendix 3N and the recommendations for deletions in Appendix 3I are often inconsistent and the applied criteria are hard to understand.

The city has already lost many of its historically significant buildings to development (ie The Provincial Government Building, which this Society fought to save) and a lot of early central city commercial buildings. Much of the Victorian and Edwardian heritage charm of Trafalgar Street and most of Bridge Street has already been demolished. Fortunately stretches of Hardy Street provide examples of what Nelson used to look like with a wide variety of building styles, ages, facades and original uses. We are also informed that a number of worthy heritage buildings in Bridge Street are hiding behind more recent facades and could be brought back.

We support 'enabling provisions' like earthquake strengthening and installation of solar panels and removal of unreinforced masonry chimneys as proposed.

We support the decision to retain the Albion Square Heritage Precinct and the retention of other city heritage precincts.

We commend the ruling that anything over 8m adjoining a heritage precinct or a scheduled building must get resource consent so its effects can be reviewed against heritage values in a high density zone. Nevertheless, we are concerned at the impact a new build of **up to 8m** could have on some of heritage precinct buildings, particularly when topography is taken into account (e.g new Richmond Avenue precinct).

Remedy:

- Reverse the decision to remove the Inner-City Heritage Precinct and Wakefield Quay Special Character Area .
- Amend Rules REr.86 and REr.89 to require site by site assessments for all new buildings (even if below 8 metres and therefore not requiring a building consent), on a heritage site/setting OR in a heritage precinct OR alongside, in front of or behind a heritage building for their impact on heritage values and significance; domination over a heritage building or site; affect on visibility of a heritage building or site; and appropriateness (ie a new, tall,

building may not be appropriate in the middle of a heritage precinct or group of heritage buildings)

- Publicise, facilitate and enable ‘enabling provisions’ like earthquake strengthening and, installation of solar panels and removal of unreinforced masonry chimneys as proposed.

6. Church Hill View Shaft

Concern:

We oppose the removal of the Church Hill view shaft which is contrary to the recommendations of HPC and based on very specious reasoning which equates existing trees with buildings. Multi-storey buildings will be permanent obstructions.

The view/outlook from the Cathedral steps down Trafalgar Street to the Haven is an iconic site and visitor attraction. It also serves as a key reference point for images reflecting changes to Nelson’s social, cultural and environmental activities across the decades. Dr Anne McEwan advises: .

Medium-rise (4-6-storey) development in the vicinity of Pikiwai has the potential to significantly undermine its tangible and intangible heritage values. And further she predicts If the canopy of a mature tree blocks pedestrians and building users’ views of heritage and historic character buildings, particularly the upper levels of a building on which is concentrated its principal architectural features, there is a risk that the essential contribution that heritage and historic buildings make to the urban environment will be devalued and discounted over time. [Ref McEwan Appendix 3K p 8]

Remedy:

- Reverse the decision to remove the Church Hill view shaft as the reasons for removal are ill-founded and cannot be justified.

Summary of concerns and requested outcomes

Concern	Requested Outcome
1. The flaws in the underlying research which informed decisions about the list of deletions from the NRMP register. Not all information on the current and proposed lists is correct and previous key work has been ignored. The lack of ranking for ‘significant’ is also unhelpful (e.g., Exceptional, considerable, moderate, little or none).	• Review and correct information to ensure accurate listing details. • Incorporate the recommendations of Wilson’s <i>Thematic Historic Overview of Nelson</i> and the five pou kōrero or principles of the Taonga Tuku Iho Strategy 2022-2032 • Clarify the ranking within the ‘significant’ category or cease using this term and use only ‘value’
2. Risks in the classification of specific items in Appendix 3I and failure to include all Heritage NZ listed places in the city.	• Appendix 3I Classification list to be reassessed and redone, and peer reviewed. • Include all Heritage NZ listed places in the city

3. Lack of consideration of Archaeological and Maori sites and failure to reference previous professional reports and local archaeology expertise	• Include archaeological and Māori sites in the schedule and note the appropriate protection which is consistent with other existing regulations and the extensive body of published archaeological and cultural reports for the Nelson area.
4. Insecurity of the heritage protection for current category C buildings	• Ensure current heritage building protections continue throughout the Plan Change 29 process. • All buildings on the C list be moved up to Category B as an interim measure.
5. Threats to Inner City Heritage Precinct, Wakefield Quay Area of Special Character, height regulations in Heritage Precincts.	• Reverse the decision to remove the Inner-City Heritage Precinct and Wakefield Quay Special Character Area. • Buildings in both the Inner City and on Wakefield Quay Precincts have sufficient heritage and character values to be retained in a precinct and as individual buildings • Amend Rules REr.86 and REr.89 to require site by site assessments for all new buildings (even if below 8 metres and therefore not requiring a building consent), on a heritage site/setting OR in a heritage precinct OR alongside, in front of or behind a heritage building.
6. Proposed removal of the Church Hill view shaft	• Respect the iconic and environmental value of the street and landscape as viewed from the Church steps. • Reverse the decision to remove the Church Hill view shaft which cannot be justified.

Online submission

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

Submitter No.	S459
Submitter Name	Solitaire Investments Limited
Submitter Company/Group Name	Solitaire Investments Limited
Submitter is contact	Yes
Email	steve@rocmac.co.nz
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Neutral		Neutral

Solitaire Investments Limited 30th October
2023

Nelson City Council
Civic House
110 Trafalgar Street
Nelson

To whom it may concern

Solitaire Investments Limited: Submission on
Plan Change 29

Solitaire Investments (Solitaire) are a long-term property investor and developer in Nelson. This includes a significant landholding in Stoke which has been held by Solitaire for approximately 30 years. In the past 10-15 years, approximately 30 hectares of land has been subdivided with around 160 lots being brought to market. There are another 110 lots currently in the pipeline. In total, Solitaire have approximately 210 hectares of land in Stoke left to develop and this is expected to yield upwards of 1300 lots over the next 10-20 years. Solitaire is currently working on a comprehensive masterplan for their entire landholdings and will be looking to engage with Council about that masterplan over the coming months. The approximate extent of Solitaire's landholdings is shown in Figure 1 below:

Figure 1: Solitaire Investments – Stoke
Landholdings

Solitaire's landholdings have a range of different zones under the Operative Nelson Resource Management Plan including: Open Space Recreation; Rural; Rural – Lower Density; Rural – Higher Density; Residential; Residential – Lower Density; and Residential - Higher Density. Under Plan Change 29, it is proposed to rezone Solitaire's residentially zoned land to General Residential. This zone will have a minimum lot size of 200m² for vacant lot subdivision. Development standards include an 8m height limit and 40% building coverage. No changes are proposed under Plan Change 29 to Solitaire's landholdings which are currently zoned Open Space or Rural. Solitaire generally supports the rezoning proposed and the introduction of more relaxed

development standards. Solitaire considers, however, that there is an opportunity to look more comprehensively at their overall landholdings to explore if there are opportunities to also rezone some of their Open Space and Rural zoned land to better achieve the objectives of the Plan Change. Solitaire appreciates that this may fall outside the scope of the Plan Change as notified but nevertheless would welcome the opportunity to discuss this aspect of their submission with Council further.

An important feature of the Plan Change is to also address natural hazards that affect the District. In terms of Solitaire's land there are a number of natural hazards that are identified. These include: the Slope Instability Areas 2 and 3 Overlay; the Debris Run-out Overlay; and the Fault Deformation Overlay. These overlays largely mirror similar overlays in the operative Nelson Resource Management Plan and Solitaire has been taking them into account when design subdivision layouts to date. Solitaire is generally supportive of the way that natural hazards have been identified in Plan Change 29, as well as the provisions that flow from them. Solitaire would be concerned, however, if there were to be any significant changes to these provisions that would significantly impact on the way that their land can be developed in the future.

In overall terms, Solitaire is generally supportive of Plan Change 29 subject to the following:

- Relooking at their Open Space and Rural zoned land to examine whether the rezoning of some or all of that land might better meet the objectives of the Plan Change.
- There being no significant changes to the natural hazard overlays, and the provisions that flow from them, that would adversely affect the future development of their land.

Yours faithfully
Steve Parker

RMA Submission Form for Publicly Notified Plan Change 29



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

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

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

*Required

Submitter Details

Full Name*	Richard Brudvik-Lindner		
Organisation	WICK		
Contact Person	As above		
Postal address*			
Telephone*		Email*	RichardBrudvikLindner@windowslive.com

OFFICE USE
Submission No: S460
Date Received Stamp: 30/10/2023
NDOCs No: NDOCS-539570224-16659

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.

Richard Brudvik-Lindner

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)

28-10-23

Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

PLEASE SEE ATTACHED SUBMISSION ABOVE

I seek the following decision from the Council*:

RMA Submission Form for Publicly Notified Plan Change 29

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

PLEASE SEE ATTACHED SUBMISSION ABOVE

RMA Submission Form for Publicly Notified Plan Change 29

Kia ora koutou katoa Mayor, Councillors & Staff:

Thanks for the opportunity to submit on Plan Change 29.

While I support intensification as an urban development approach for Nelson, and support aspects of Plan Change 29, I do not support PC29 in its entirety. I think the approach is timid in places and ill-considered in others. Also, the approach to PC29 is not being undertaken at an appropriately fine-grained level and is not design-driven as it should be. Nor is it, as currently conceived, adequately strategic in approach – far too much of a tactical implementation of a change that should be transformational for our community.

I think we need to be clear on why we need intensification in our community, if we are to evaluate how best to intensify.

Why Intensification? – The Strategic Backdrop

The backdrop for intensification is that we have a variety of economic, demographic, environmental, geographic, and social reasons that compel us toward intensification:

- Lagging average wages when compared to national averages
- Wage growth slower than the national average...and slowing in comparison
- Rising average age – more people over 65 than under 16
- Youth “flight” -- Young people believing that they must leave in order to achieve their hopes and dreams.
- Underemployment at levels beyond the national norms
- Unaffordable housing and growing economic gap between top and bottom of our community
- Squandering of human capital resources of our older residents
- Marginalization of lower socio-economic status residents, youth and elderly
- Growing population – growth has been underestimated in recent decades, and this gap between estimates and actual growth is likely to widen due to factors Statistics NZ do not take into account when creating their growth projections.

We should consider the old axiom about geography being destiny. Nelson is hemmed in between the hills and the sea; and, to expand down the coast toward Richmond only destroys arable land, and creates more vulnerability to sea level rise. As we increasingly realise, we cannot put too much of our population directly on the shoreline; so, we must either move into the hills (which has its own problems in this seismically active area), or make better use of the land we already have at the foot of those hills. This is really an imperative for us – a non-negotiable. Intensification is a strategic response to our situation. We should not lose sight of that, and of the long term. Some opposition to intensification seems heedless of long-term strategic thinking. As an older Nelsonian myself, I urge council to consider that a number of people my age are resistant to change, want to preserve what is, or want to go back to what was, and often are inclined to protect what they have to the detriment of long term thinking, as many of us have a relatively short time horizon we will be on the planet.

RMA Submission Form for Publicly Notified Plan Change 29

It really is, then, a moral imperative to allocate more attention, and provide a bigger share of voice to young people/rangatahi, young families, young professionals, students and those who are the demographic group most likely to be impacted by the Plan Change 29 decisions we make now. We should be driven by considering how we create a more viable future for them in Nelson/Te Taihū. How can we be good ancestors?

These decisions about intensification are in many ways economic decisions. We have to create a more economically viable community with more prosperity and more equitability, and intensification is an ally in this endeavour. More housing will lower the cost of housing, making our community more viable for young people, making a better economic environment for our businesses and commercial sectors. It also affords cheaper service delivery. Besides adding more affordable residential space, building up can allow us to have more buildings that host retail on some floors, commercial office space on others, and residential on others – all in the same building. This in turn has social benefits, making our town more vibrant and creating a greater mixing of old and young, and creating a town centre and town fringe populated by the widest mix of Nelsonians. We have to be smart about how we move forward as a community.

This recognition of climate change, geography, economics, demographics and societal needs seemed to be the predicate for the overwhelming response from the community when a great many of us submitted on the Future Development Strategy. The people spoke through a democratic process. They want intensification. It is really only how this is to be accomplished that should be considered when evaluating Plan Change 29. Not intensifying should not be on the table for consideration. Of course, Nelson's statutory obligations to accommodate growth further confirm this is the right approach.

Future Development Strategy, Intensification & Democracy

Intensification of Nelson is the result of an extensively consulted on, and widely participated in, process called the Future Development Strategy submissions process and review. This was a democratic process, and should not be undermined by loud voices that contravene the democratically derived directives of the Future Development Strategy, and which have not shown themselves to be a truer reflection of widespread popular sentiment than the FDS process, submissions and consensus. The significant amount of public input and feedback contained in 568 submissions resulted in a FPS that is a democratically-constituted reflection of popular sentiment supporting urban intensification in our region, and has resulted in a set of intensification strategies completely congruent with the general thrust of Plan Change 29. NCC has to honour the widespread public participation process used to determine the FPS. If NCC ignores democratic outcomes like the FPS (concluded only last year) every time there is resistance to intensification then it calls into question if it is a waste of time for residents, business owners and property owners to participate in a structured engagement and submissions process like the 3 year process that produced the FPS.

We must have intensification in the urban core and urban fringe. As the alternative is the destruction of more arable land (like the regrettable Berryfield development in Richmond) or continued sprawl across seismically unstable and erosion-prone hills and valleys. If intensification is imperative then our attention should turn to how to do the highest quality intensification in Nelson, so we don't ruin what makes the community already attractive. Of course, there will have to be some sacrifices, some compromise, and we will have to create some new norms (like fewer resources devoted to cars and storing cars and smaller personal private "sanctuaries" counterbalanced by more abundant and nurturing public green spaces).

RMA Submission Form for Publicly Notified Plan Change 29

As the FDS says:

We currently have capacity for about 2,000 homes through our Resource Management Plans. But given how fast we have been growing, we may need to find space for between 2,000 and 12,000 extra homes across Nelson and Tasman over the next 30 years. Along with more houses we will need more shops, offices, and space for industry.

The FDS signals a deliberate and planned change from past growth patterns which have tended to be based on urban expansion of the settlements with highest forecast population growth. The FDS prioritises “building up” with more intensive housing, particularly within the larger towns and urban centres.

The FDS proposes significant development in and around Nelson Central City, areas to the south of the city centre, Stoke and Richmond in decade 2 (2028-38). Intensification in these areas can help support passenger transport services, bring people close to shops, jobs and activities and provide opportunities for different housing choices.

In 30 years, our population will be older on average compared to today, and our average household size is expected to reduce, meaning we need more houses. If we see higher levels of migration, our household sizes are expected to remain relatively larger, as the rate of change of aging of our population and decrease in household size is not as fast. In a lower growth scenario, more houses will be required per head of population.

Housing affordability is anticipated to remain a challenge over the short- to medium-term at least. We must confront, plan for, meet the challenge of, surmount the obstacles posed by, and make our city better than it is, by responding to this reality.

Disconnect Between FDS and Provisions & Approaches to PC29 Implementation

Urban planning and design is a massively under-resourced function of NCC staffing. It needs to be addressed by council. This accounts for many of the problems we now face planning for and communicating Plan Change 29, and for reconciling Plan Change 29 with the public mandate from the FDS process. While the FDS unequivocally makes it clear that there is a substantial consensus for intensification in our urban centres (city core and city fringe), there seems to be a disconnect between this desire and how NCC considered implementation of this plan. Some problems:

1. Public engagement was too cursory for such a major change – which ended up silencing proponents of the general thrust of Plan Change 29, fanned the flames of fear for those unknowledgeable about it, and hardened opposition among those already opposed. This alone nearly sunk the potential for coherent change in our community. The pitchfork brigades and the CAVEs (Citizens Against Virtually Everything) soon found their voice amplified (including in unbalanced coverage in local media) and there was a palpable bullying climate created for those who wanted to advocate for change, but felt they must stay silent in public. This was a significant problem and builds on similar behaviour of some against the proposed library.
2. The change was not well contextualised and expert opinion was not platformed.
3. The portrayal of the change was not fine-grained enough. Neighbourhoods and individual properties needed to be given both more detail about what the plan meant for them, and to be given an opportunity to partner with council in determining how they wanted to accommodate intensification in their personal spheres.
4. Misrepresentations – the sowing of fear, uncertainty and doubt (FUD) has emerged as a weapon to oppose intensification. Lots of bromides, conventional wisdom, conspiracy thinking, and just plain misinformation has been allowed to creep into people’s understanding of PC29 and this has caused uniformed opinion and gossip to overwhelm fact (much as what happened to the proposed new library).

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5. Sunlight/Daylight – Nelson residents are rightly concerned about potential loss of sunlight, but many don't understand that much of what they currently have will be protected most of the time. This issue should have been confronted head-on at the outset and design-based approaches to maximise light should be a paramount consideration as we add density. Not being as careful on this issue has hurt the NCC approach.
6. Consenting Process Confusion – many people do not understand that the building consent process will still apply – so all standards will still have to be met. It is the resource consenting that will change as a result of PC29. This could have been made clearer from the outset. Not doing so built opposition.
7. Premise of 400M distance from an amenity. While this should be an element that generates options for where intensification should occur. It is a premise that has shortcomings, and therefore has opened NCC to more criticism.
8. Lack of Masterplan – with no plan it is hard to say if the destination is the right one. PC29 may be the right mechanism, but without a plan, who knows?
9. Lack of architectural standards – with no guarantee that intensification will lead to quality outcomes, fear has risen and negativity to change has been heightened.
10. Lack of an open spaces plan and placemaking strategy – another lack of precursor planning that raises concerns and depletes public confidence.
11. Lack of heritage protections – with minimal consideration and judicious appraisal missing in PC29, this has become a chink in the armour. Heritage, can be a debatable concept in such a young country however. Not all that is old or historic is worth preserving if the price is stymieing a better designed community. Preserving historic curbs perhaps being a case in point. We destroyed some true heritage like the provincial building.

Strategic Goals and Desirable Outcomes

The problem with Plan Change 29 is not intensification, but rather that intensification is perceived by many as the goal itself, instead of as a tool that produces more meaningful outcomes such as making Nelson:

- More prosperous
- More equitable
- More liveable
- More sustainable
- More vital
- More productive
- More connected and connecting
- More healthful and happier
- More efficient and less wasteful (of both rates revenue and resources)

NCC has not done a good job of explicitly connecting PC29 to desirable outcomes and strategic goals; and has therefore met resistance and a poor understanding of why there should be any short-term sacrifices for long term benefit. The connection between outcomes and mechanisms needs to be more overtly and specifically communicated, but equally important, the mechanisms needs to be intrinsic to the delivery of strategic goals and desirable outcomes for the community. Density decisions, then, should be quite site specific, or at least much more analytically granular than the broad-brush-stroke approach NCC seemed to apply when determining PC29 mapping. That said, ease of well-designed vertical intensification ought be widely applicable across Nelson core/fringe/arteries

Social Outcomes

Intensification in and of itself is not a desirable outcome, but intensification that creates better social outcomes is. The intensification strategy of basing intensification decisions strictly around a 400m radius from a public amenity that one might want to visit is an approach that is too limited and not grounded enough in an outcomes-based approach – a social outcomes approach.

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Nelson should be intensifying in ways that explicitly meets these social goals:

- Providing more affordable housing for young families – with close proximity to recreation and green spaces, and easily serviced by restaurants, green grocers, farmer’s market, bakeries, etc.
- Providing housing for young people that is both affordable and builds community and sense of belonging among young people – with nearby venues for socialising, entertainment, hospitality and recreation.
- Providing residential spaces that are child friendly – near daycare, parks, recreation, greened city streets, playgrounds and schools – so that we make Nelson more child friendly and nurturing of children.
- Providing residences in mixed use buildings that house offices, retail, housing and personal services that enhance the lives of working people.
- Providing affordable housing for elderly people that puts them in the middle of city life, fighting isolation – but near parks, green spaces, medical services and places for socialisation -integrating elderly into daily city life.
- Providing lively pro-social places for young singles to socialise, meet, recreate and provide a “density” of social interactions – making Nelson an attractive place for young people, adding demographic balance and vitality to our city
- Providing housing that promotes social mixing among age groups, ethnicities, socio-economic status – intensification should have as an explicit goal the building of social cohesion and the enhancement of quality of life.

All of these need to be well-served by transportation options – from public transportation, to vehicle sharing, to micro-mobility, to cycling, walking and private transportation. Transportation provision (and modal shifts) and design-led problem solving are the precursors that must work hand-in-glove with the proposed trajectory of PC29, for PC29-style changes to fulfil the role they are meant to fill. This is why arterial intensification is important.



Urban Development Agency

Ultimately, in order to take a pro-social and outcomes-based approach to PC29 and urban development in general, Nelson needs to establish an Urban Development Agency. Such an UDA would create design standards, a planning process, and design-based outcomes that produce intensification congruent with the desire of many Nelsonians to make sure their quality of life is not undermined by intensification. An UDA would also allow Nelson to create as sustained, strategic approach to urban growth and revitalisation. Such an UDA should be independent of direct control by council, but responsive to council.

Design Driven

A design driven approach led by an UDA would allay many of the existing concerns and misperceived threats many people have about PC29, and would produce the only kind of acceptable outcomes the community will sanction. Such a design-driven process should include elements such as:

- Urban design guide – widely used by many communities to ensure quality of life is preserved and enhanced through development and intensification.
- Architectural standards – again, widely used by many communities to protect and lift the standard of architectural contributions to a city – detailed but flexible enough to foster creativity, not flexible enough to

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enable greed. This would also be a valuable tool in providing protection and complements to heritage sites/structures.

- Urban design review panel – providing professional design oversight for changes to the city. No need to invent the wheel, as these are used around the world, and could easily be created for Nelson, based on successful models.
- Neighbourhood spatial plans that are fine grain – allowing variety within a neighbourhood, adaptability and accommodating evolving use patterns. Quality of life (QOL), heritage, social cohesion and other place-making factors would drive planning at this level.
- Qualitative approach – not quantitative—less use of formulas and more use of aesthetic & QOL considerations. What aesthetic goals do we have for our city? What are our QOL goals? Social goals? Based on the particulars of those answers, how should growth be accommodated, directed and enhanced for good outcomes? This should drive our decision-making and planning.



Design, design, design – that is what will make PC9 workable and desirable. Designers know how to solve design problems, and most of what people are worried about with PC29 are SOLVABLE design problems, when put in the hands of professionals – look around the world for proof. We must not be so parochial and chauvinistic about how we approach intensification. Where others have already led with good design solutions, we should follow. I just don't have the time to research, provide and catalogue photos and case studies of these from around the world, but I have seen many examples in my travels around the world. Surely NCC can engage professionals who can do this, if we need examples to convince the unconvinced.

Phases & Spaces

I am not convinced we have taken an adequate “spaces” approach to defining where intensification should occur. We need to look at this much more carefully, more granularly for the best outcomes. Taking NCCs more generalised approach, I am not sure we have that right either. In the area bordered: QE II Drive to Trafalgar St to Grove St to Milton/Atawhai Dr to Hardy St East to Botanical Hill to Nile St to Harper St to Bronte St to Wellington St to Gloucester St to Vanguard St to Hampden St to St Vincent St to Haven Rd to Wakefield Quay all of the properties in this area should be CONSIDERED for Medium density and all High density designations in these areas should be retained. We need to look into this general area at much more granular level to make good decisions.

As Timo Neubauer recently said in the Nelson Mail: “For a successful intensification policy, NCC must design comprehensive neighbourhood plans first - these are plans that give some certainty about the form and location of future buildings, open space areas for outlook and privacy, future public and private green spaces, play areas, potential new laneways and so on.”

In a design-driven approach to PC29, NCC would be more granular about what kind of change should be implemented. Important details and subtleties should be considered at the precinct, neighbourhood, street, block and spaces (and even at the targeted section or individual site level). Creating a plan, not just a permission, based on conditions such as location, aspect, topography, access to services and amenities, overland flow paths, flood protection and watercourses, infrastructure, significant trees and vegetation, heritage items and commercial aspects like land value vs. capitalisation etc.

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As Neubauer says: “For a successful intensification policy, NCC must design comprehensive neighbourhood plans first - these are plans that give some certainty about the form and location of future buildings, open space areas for outlook and privacy, future public and private green spaces, play areas, potential new laneways and so on. Each urban block needs careful consideration to find the best way forward.”

Yes, we should have 3-story residential buildings in most areas of the urban fringe, and yes, we should have 6-story buildings in the city core, and we should also allow some combination of 3-6 story building in places where they abut hillsides (like along Milton St/Atawhai, along Tahunanui Drive, Rocks Rd & Haven Rd; in select locations along Waimea Rd/Rutherford; & along the Ridgeline, along SH6 in Atawhai, etc). A major component of this intensification effort should be urban infill. Some examples below from places around the world who have done this well:



I think NCC should make more sections and streets medium density with 3 stories (including the streets I live at the corner of) throughout the city fringe area and along more arterial roads (including some that may not be officially characterised as arterials but function as small-scale arterials).

We cannot make The Wood a development free zone. It should be built up where needed (as per some developments there already) and should be protected from climate change, and intensified at the 3-4 story level. There are also places in Victory and Nelson South which could accommodate this kind of intensification. Much of these decisions should be driven by intensification along major transportation corridors, as this would make public transportation more viable, vital and used.

Besides looking more carefully at how we define intensification spaces broadly, and looking more deeply and granularly within those broad spaces, we should also consider a slow rolling plan of phases of implementation. This might help ameliorate opposition from older residents. Areas with more entrenched opposition from older Nelsonians might be appeased more if they understood these changes were to be rolled out in phases around the city over the next 15-20 years (as a number of them are unlikely to be living in their houses then). This phased

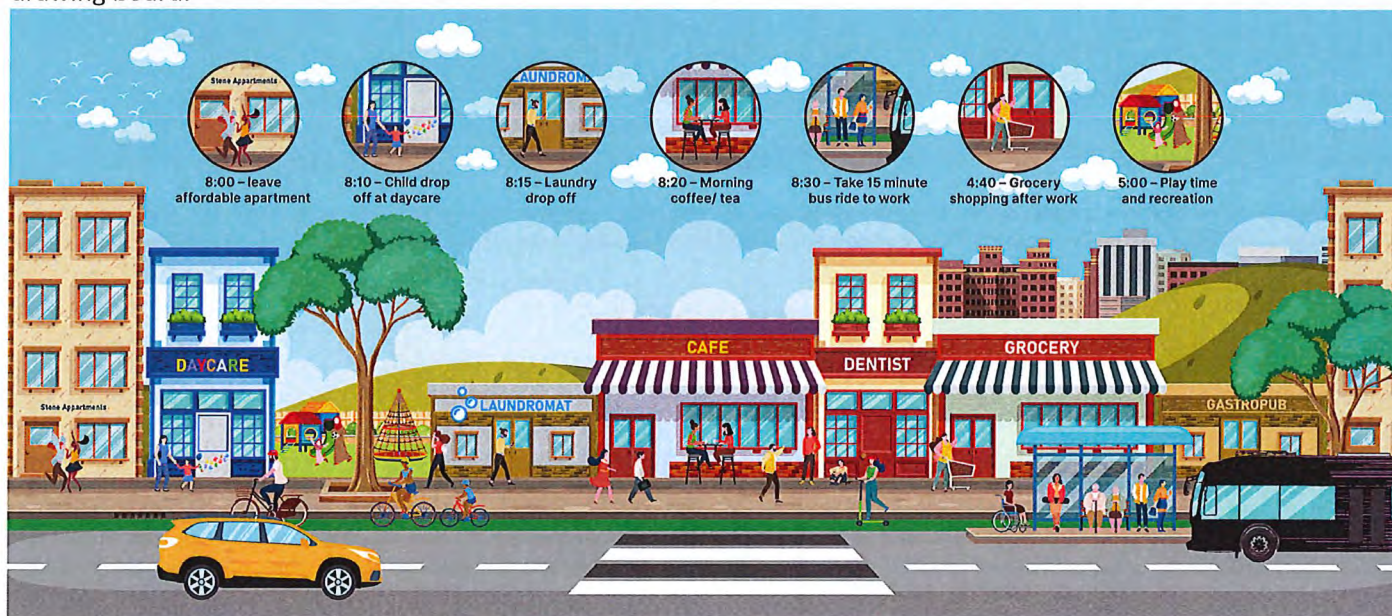
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approach would allow NCC to roll out PC29 changes strategically in precinct, neighbourhoods, streets, arterial routes, along foothills, blocks, spaces (and even at the individual site or targeted section level) – this is a granular approach, which would allow NCC to target first areas likely to produce the best results and the best examples of intensification to showcase to the community – diluting fears and concerns, and inspiring confidence and enthusiasm for this kind of change.

Transport Oriented Development & Arterial Growth

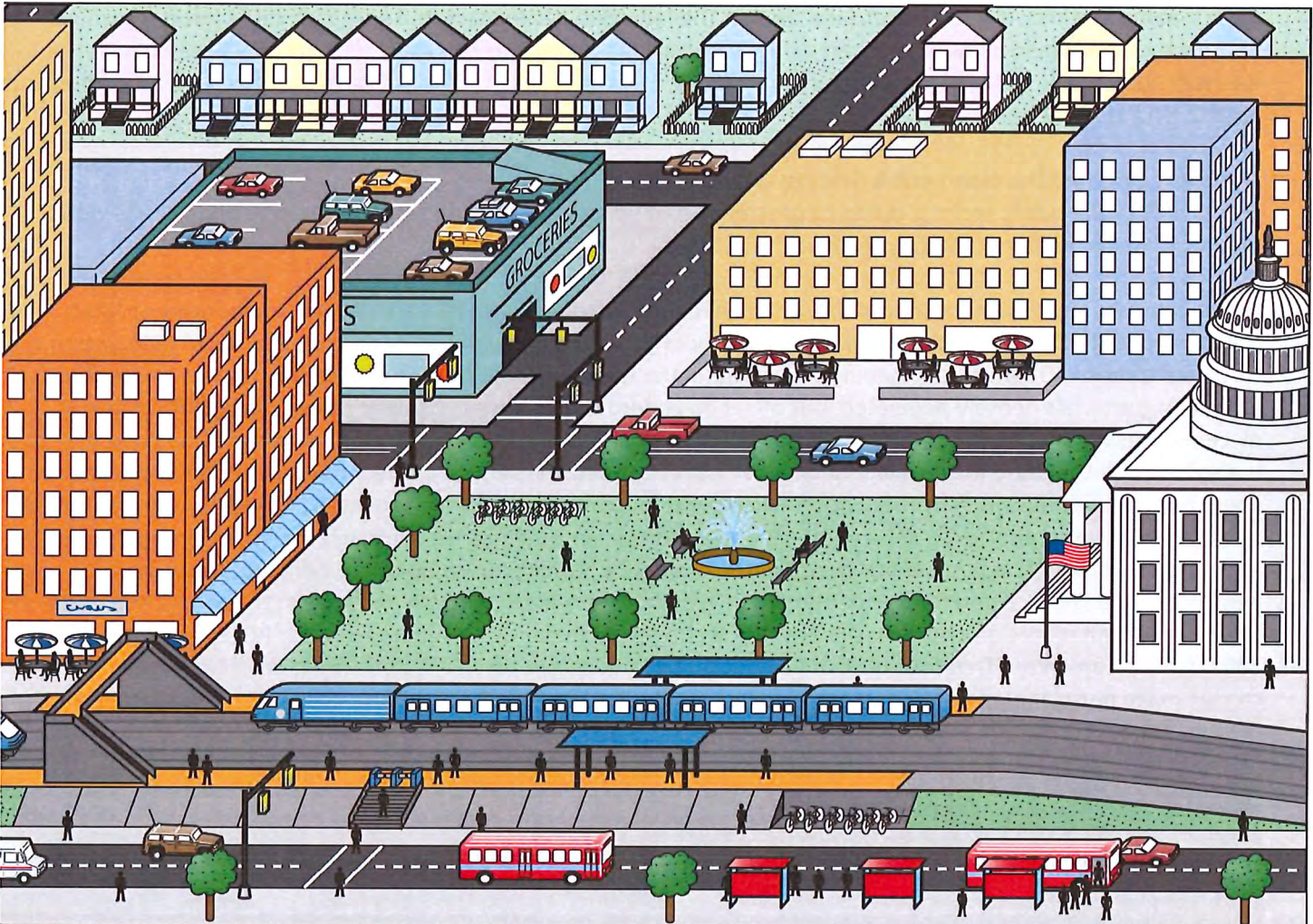
“Up to 80% of the public realm is made up of streets, so if you design good streets you design a good city” – Rob Adams, Melbourne Director of City Design

Urban planners and designers around the world have demonstrated, with research results to back this up, that transport oriented development design (TOD) produces the best quality of life, economic, and social outcomes for cities and towns. TOD involves planning cities around the transport needs of the population, making residential areas along arterials densely populated, but offset by generous green spaces, public spaces, walkability and placemaking. We should push growth to arterials, and the best designed cities around the world already do this (this is also beneficial because it also makes it cheaper for NCC to provide service delivery to more people – meaning a lower burden on ratepayers). This alone should drive our approach as to where to intensify and how to intensify in Nelson, a qualitative approach, not a numbers driven, formulaic, quantitative approach that is not fine-grained enough to accommodate human experience at the human by human, house by house, neighbourhood by neighbourhood level.. Humans are not numbers. They are amorphous, variable and subject to feelings and emotions (especially about where and how they live) and this should guide our design approaches for PC29, not if you live 400m from an amenity. (That formula can be A factor but should not be THE factor driving our PC29 planning.) How can we make our planning for PC29 more nuanced, subtle and nimble? That is where we should go back to the drawing board.

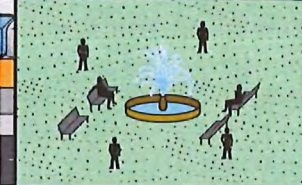
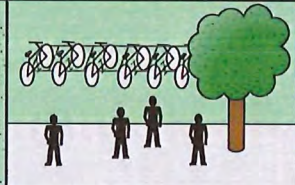
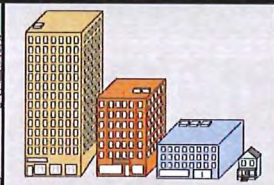
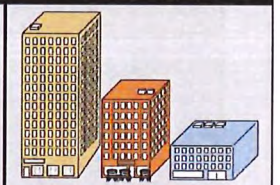


An example of this TOD approach: Milton St/Atawhai St should be made one-way north-flowing road all the way to Highway 6, with parking removed on one side of the street (buy a few properties to make some parking alcoves if necessary) a protected bike lane and much wider footpaths, encouragement of micro-mobility, and regular service by buses. This would then make sense to have intensified vertical housing development up and down this road. This is an example of where NCC is being too timid in how they are currently approaching intensification (and not focused on strategic outcomes – as this road is ripe for a strategic outcomes transformation). It is unsafe and unaesthetic as currently built.

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Features (generally encompass multiple city blocks up to a half mile from a transit station)

 Open spaces to include transit-plazas, small parks or regional open spaces	 High-quality walking environments and streetscape that allow people to take care of some of their daily needs by walking or biking	 Includes moderate- to high-density mix of residential, commercial, employment, and civic/ cultural developments	 Includes residential buildings that can vary from small-lot single family/ duplex/ townhome units to high-rise multifamily units	 Offers mixed use and employment developments that can vary from mid- to high-rise residential over commercial to low-to-high-rise office/commercial
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Fringe & Belt Around Core

Intensification should not depend solely on secondary dwelling units, but they should be much more widely allowed in the city fringe. The fringe donut should be a belt of intensification that combines greater vertical and lateral



density – including mother-in-law apartments, shared-wall multi-story townhouses, etc. Again, this should be driven by a UDA and by plans to create modal shift, and by intensification along transport corridors. NCC is currently too timid in how it defines the city fringe and the fringe donut, as these should be much more expansive areas if we want to have lots of people living in our city. Peter Olorenshaw has submitted on this “donut” approach multiple times before.

Landscape & Green Spaces

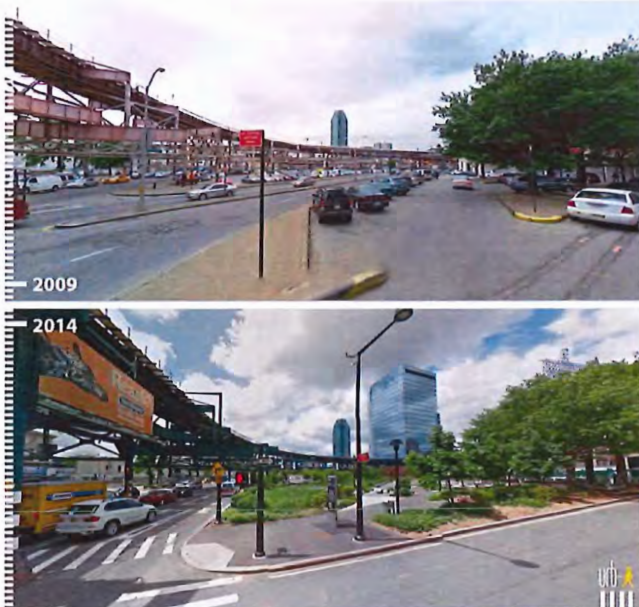
Landscape requirements for intensified spaces should be a part of any PC29. We in NZ vastly underleverage the role of landscaping, plants and trees in creating the kind of liveable outdoor urban spaces, setbacks and buffers that must accompany PC29. This is all the more concerning given research about landscaping’s role in creating a cooler environment in urban spaces for a world facing global warming. And NZ is lagging best practices seen around the



world given the minimal requirements it sets for landscaping, landscape setbacks, islands and pockets. PC29 should rectify this. Of course, the easiest way to do this is through creation of an UDA, architectural standards, architectural review, etc.

Further, it is not just the landscaping per se, but the setting aside of land as public green spaces that will allow people to live comfortably, happily and healthily in a more intensified urban environment. Places like Melbourne have a “Grey to Green” strategy (paved surfaces converted to green spaces – roads to grass).

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They argue: “ Don’t buy expensive green space, convert underutilised grey spaces for a fraction of the cost.” Convert poorly designed, underutilised streets, footpaths, carparks and other hard surfaces to green space, all of which would make intensification more palatable to those who fear it, and more pleasant for those that embrace it.

Again, through an UDA, we should do a survey of grey spaces, current green spaces and “pregnant spaces” capable of delivering greater greenery if converted from their current poorly allocated uses. Car parking spaces offer potential here, if done prudently, preserving car parking where needed. Much as the Buxton Square carpark housing proposed by Matt Lawrey.

Thanks for giving more time for people to engage with the issues entailed in PC29. And thanks also for all the work NCC has done on this issue. I am always struck by the quality of our public servants/council staff and the dedication of our elected representative in Nelson/ Whakatū. So, thank you for considering my feedback and thank you for the work you do on behalf of our community. It is not easy to incessantly catch spears with a smile on your face. 😊

Richard Brudvik-Lindner

Maitai, Nelson

[I would like to be given the opportunity to speak to my submission]

RichardBrudvikLindner@windowslive.com

Rev 0.1

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

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

Environmental.planning@ncc.govt.nz

Submitter (Complete details below):

Full Name: Jocelyn Smith

Address:

Telephone:

Email: joc.smith@xtra.co.nz

Signature of Submitter:

Date: 27 Oct 2023



Delete as applicable: -

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

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

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

The changes proposed are huge and the documentation detailed and difficult to understand.

I understand the problem you are trying to solve, and I listened to the zoom session and understand the reasoning behind the selection of areas to intensify, but the solution seems to be overkill.

I think most of the problem arises from trying to implement new rules on existing properties. I don't think there is enough provision for preserving sunshine, views, privacy. People have purchased their properties based on the existing conditions and some property values will be decimated by the proposed changes.

This will not be a fair and even distribution of property value loss, but will fall heavily on particular properties when a tower block is built next to them, blocking sunshine, blocking views, overlooking their properties. There are many beautiful old homes in the proposed high density areas – homes that do not necessarily have heritage status, but deserve to be preserved and not swallowed by unintelligent bulk housing.

I don't think there has been enough consultation or information about this Plan change. It appears that it will cause a lot of angst to existing property owners.

The plan is hard to understand and to work out what its implementation will mean. It's a huge document.

It doesn't seem to have enough flexibility to adapt to specific situations. It is a blunt instrument – too blunt.

Please withdraw the plan, rewrite it in a clearer format and make sure we all understand what is being proposed.

I really don't believe that Nelson's population will grow as fast as forecast.

One of my solutions would be to make sure that new commercial builds have high rise accommodation above the shops.

I do agree that we need solutions that prevent fertile crop-growing land from being swallowed up by housing.

There needs to be more allowance for developments to be considered on a case-by-case basis, with sensitivity to the wellbeing of the surrounding dwellings.

Please don't rush into this big box bulk housing plan.

Online submission

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

Submitter No.	S462
Submitter Name	Susan George
Submitter first name	Susan
Submitter middle name	Jill
Submitter surname	George
Submitter is contact	Yes
Email	455rocksrd@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	General Residential Zone	Oppose in part	I would like the council to reject the change proposed for the general residential zone The current planning criteria already allows for intensification in this zone but in a controlled and responsible way to preserve the quality desirability and character of the zone for both new and existing residents There needs to be designated zones for this type of intensification rather than a broad blanket approach so people will know what they are signing up for when they purchase a property and not have to worry what might happen next door. Council needs to respect what residents of Nelson want in their neighbourhoods.	Reject the change

Residential Zones	General Residential Zone	Oppose in part	I would like the council to reject the change proposed for the general residential zone The current planning criteria already allows for intensification in this zone but in a controlled and responsible way to preserve the quality desirability and character of the zone for both new and existing residents There needs to be designated zones for this type of intensification rather than a broad blanket approach so people will know what they are signing up for when they purchase a property and not have to worry what might happen next door. Council needs to respect what residents of Nelson want in their neighbourhoods.	Reject the change
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RMA Submission Form for Publicly Notified Plan Change 29



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

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

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

OFFICE USE

Submission No: S463

Date Received Stamp:

30/10/2023

NDOCs No: 539570224-16663

*Required

Submitter Details

Full Name*	Derek James Richardson Smail and Julia Elizabeth Burbury		
Organisation			
Contact Person	Derek Smail		
Postal address*			
Telephone*		Email*	djrsmail@aol.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.

Derek Smail

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)

28/10/2023

Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

You should also be aware that we fully understand the good sense of encouraging intensification of high rise accommodation in the CBD - within the area bounded by the relevant parts of Halifax Street, Rutherford Street, Nile Street and Collingwood Street.

I OPPOSE the proposal in its entirety; and as grounds/reasons I rely on all the grounds set out below;
and if my opposition to the whole of the proposal fails,
I OPPOSE that part of the proposal that creates a High Density Zone; and as grounds/reasons I rely on all the grounds set out below,
and if the HDZ aspect of the proposal is to remain

- 1 the inclusion of recession planes (in Side yards and Rear Yards in any Residential Zone) which commence at a height greater than 3 metres above ground level; and
- 2 the inclusion of recession planes (in any Residential Zone) which are greater than 50 degrees from the horizontal
- 3 all and any maximum height (in any Residential Zone) in excess of 10 metres – i.e. two storeys: or three if originality be included in the design;
- 4 the proposed reduction in rear and side yard Setbacks in Residential Zones:
- 5 the proposed Rule REr 19B.3, 19F.3, 19R.4, and 19S.4 - to have
 - certain development on a site as “restricted discretionary” with no “notification” and affected persons consent not being required; and
 - Council’s discretion being restricted: in that the basic premise is that
 - 6 storeys (and/or 19.5 metres of height), and
 - recession angles which are at an angle under which neighbour may at certain periods of the year not see any direct sunlight at any time;
- anywhere in the HDZ, would be acceptable.
- 6 The whole theory of “planned built character” of the HDZ as set out in many places of the Rules in Chapter REr. 19, and the use of those three words together (where ever they appear in the proposal); as I interpret that as meaning that Council commences its consideration of the exercise of its “discretion” on the basis that
 - a building 19.5m of height
 - a building with 12 metre walls 1 metre in from the boundary
- is appropriate in any area zoned principally for residential activity
- 7 the inclusion of the words “Resource consent applications for restricted discretionary activities will be considered without notification, or obtaining written approval of affected persons” in REr.19B.3, REr.19F.3, REr.19R.4, REr.19S.4 and where ever else they appear
- 8 any use under REr.18, and REr.19 which is “restricted discretionary”. (All should be changed to Discretionary or Non-complying)
- 9 the omission of any encouragement that carparks be provided in any new development in the areas proposed to be zoned HDZ or MDZ
and all amendments to existing Objectives and Policies under Chapter 7 which have the effect of supporting a High Density Residential Zone (“HDZ”)

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

THE REASONS/GROUNDS for all parts of my Opposition include all grounds detailed by other Submitters opposing those aspects of the proposal that I have opposed; and that there are no substantiable grounds to depart from Policy 1.2c of NRMP: which provided that it was necessary that any development “does not diminish the amenity of neighbouring site.

AND A FURTHER REASON that (if implemented) the proposal will affect my partner and I, and the amenities we currently enjoy, personally and negatively, in that

A i our neighbour to the immediate west would be entitled (as of right) to build to 12 metres one metre in from our boundary and 19.5 metres slightly further away; thereby blocking sunlight and daylight from our property;

A ii our neighbour generally to the north east would be entitled (as of right) to build to 12 metres and 19.5 metres: thereby blocking sunlight and daylight from our property and detrimentally affecting the view and amenity of the property; and my neighbour generally to the south east would be entitled (as of right) to build to 12 metres and 19.5 metres: thereby blocking sunlight and daylight from our property and detrimentally affecting its view and amenity

A iii our neighbours generally to the north (and especially at 23 Examiner Street) would be able to build to 19.5 metres: thereby detrimentally affecting the view and amenity of our property, and causing a loss of direct sunlight at times of the year;

A iv if any of those neighbours built apartments (with or without providing parking), the existing traffic problems in Examiner Street caused

- by cars dropping/uplifting Nelson College for Girls (“NCG”) students daily before and after school, and
- by cars dropping off/uplifting girls from the NCG Hostel at the start and end of weekends or Terms;
- workers in the CBD parking in the street
- Council’s decision to have a sinking lid in respect of parking in the CBD and near the CBD

would be aggravated

A v if any of those neighbours allowed such apartments to be constructed, the value of the property occupied by my partner and I would fall substantially.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

I SEEK the following decision from Nelson City Council

1 that no portion of the proposal be approved;

and if unsuccessful in that

2 that the HDZ portion of the proposal be deleted entirely;

and if unsuccessful in that

3 I that the maximum height in HDZ be changed to 10 metres

ii that the height at boundary in HDZ be changed from 12 metres to 3 metres

iii that the recession angles in HDZ be changed to the existing 45 degrees

iii that side yards be changed to 1.5 metres

together with appropriate amendments/additions to the Objectives and Policies to reflect the above sought changes

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.

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

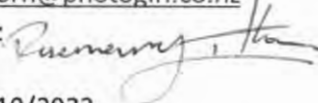
Submitter (Complete details below):

Full Name: Rosemary Horn

Address:

Telephone:

Email: rihorn@photogirl.co.nz

Signature: 

Date: 30/10/2023

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

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

Firstly, I do not reject PC 29 in its entirety, these are the points I would like to raise:

Intensification:

Agree in principle with intensification, although 6 stories high may not be appropriate for some of the steeper sections that have been included e.g. Washington Valley and Hastings street. Intensification has the opportunity to reduce future peak flow traffic as people could live closer to where they work. Active transport networks would need to be further developed as there could be greater utilisation due to shorter distances to be travelled. Public transport frequencies could be increased to service a higher population benefiting those living close to intensive developments. Multistorey intensification needs to include good and secure bike/scooter storage that includes charging facilities.

There needs to be intensification that increases the affordability with a range of affordability covered and a range of facilities from Studio, 1 and 2 bedroom options rather than developers aiming for the 3-4 bedrooms only. This would benefit Nelson to encourage young professionals from the bigger centres who are accustomed to having an apartment to themselves and are discouraged from moving to Nelson as the only option is to flat share, this was something I encountered when my workplace was recruiting for a graduate to join our team. Young people starting out in their careers would benefit from a greater choice of accommodation options in close proximity to the city centre allowing them to easily enjoy the nightlife. A greater range of 1-2 bedroom apartments would also benefit older single people who no longer want to maintain a garden and can easily get into the city with active or public transport.

Greening the city:

Consideration to the street space/side walk space is needed as intensification reduces green spaces which in turn means the environment will heat up. Landscaping around multistorey intensification

needs to be included in the design by the developers and in conjunction with the council to ensure there are plantings with trees being included within the plantings. See article "Why urban trees are worth fighting for" <https://www.newsroom.co.nz/why-urban-trees-are-worth-fighting-for>

Brisbane is a great example of a city that is prioritising leafy neighbourhoods with 44% tree cover. They also have a design led city strategy. The strategy should be based on design features that should be included not a specific design style. Neighbourhoods could each have key features identified that are essential to maintain the character of the area which could include design features that are in fitting with predominant style of the area e.g. Villas. I believe the Nelson City Council should develop a design led strategy in order to ensure developments that are good for the people living in and around them and adding positively to the Nelson City character. Please see the guidelines and strategy developed for Brisbane in the following link See Brisbane City Council site <https://www.brisbane.qld.gov.au/planning-and-building/urban-design-in-brisbane/design-strategy-and-guidelines/low-to-medium-density-residential-design-guide/green-and-leafy-neighbourhoods>

Green belt provision is missing from the plan. Nelson is very green as the sections are large with trees on them, with intensification the green spaces will be significantly reduced with infill and intensification. A provision for green belts through the city and on to the suburbs needs to be added into the plan for intensification. A good example is Wellington where you are about a 15min walk to a green belt. The location of the green belt could be in areas with the land is too steep or slip prone to build houses on. By having these areas covered in trees and plants this could reduce the slipping and potentially reduce the impact of slips on properties below adjacent to these areas. There are areas that are very wet as they used to be swamps or streams, the areas around these natural features could be widened to provide more space for flood waters, improving the health of these waterways and moving properties away from these higher risk areas, whilst providing green spaces and recreation.

There are many waterways through Nelson that are very confined or covered, there is an opportunity to establish corridors from the sea to the mountains in developing a green belt plan, such as from the sea to the Waimarama Sanctuary and from the Sea to the Mangatapu Mountain above the Maitai Dam. Providing ecological corridors for our native species and excellent recreation corridors from the city into our mountains.

Risk Category Changes:

The change of risk category for the end of Nile street, Cleveland Terrace area: I do not agree with the proposed change in risk category of the area I live in to slope instability area 3. I have been living at 168 Cleveland Terrace since 2014 and have not had any slipping on our property or the empty section behind, address 256 Nile St. We experienced run off from the slip prone property above the driveway, address 156 Cleveland Terrace during the flooding in August 2022. None of our neighbours have had any slipping on their properties during this time so using a course resolution to apply to properties is not accurate and that geology, hydrology, slope and vegetation type all need to be considered. Given there weren't any significant slips on our properties during a 1 in 100 year event suggests that the risk category is not accurate. I would suggest more could be done on section 256 Nile Street to reduce the impact of debris run out from slips through the use of swales to channel water to the existing drainage pipes under the walkway next to property 252 Nile Street and planting to reduce the speed of water overflowing down the hillside and reduce the volume of silt carried in water from any future slipping.

Online submission

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

Submitter No.	S465
Submitter Name	Mic Dover
Submitter first name	Mic
Submitter surname	Dover
Submitter is contact	Yes
Email	micdover@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 opposition	Amend	Constrain new intensification proposals to appropriate areas of the city.
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As someone from the UK, urban intensification holds no fears for me.

Since NZ has just elected a government that wants to expand greenfield development (despite all the global evidence pointing to the stupidity of such a policy), it is now more important than ever to

- a) maximise brownfield intensification wherever appropriate;
- b) to implement such intensification in a way that local communities support;
- c) to make sure the intensification benefits people who are currently homeless or renting unaffordable homes or unable to buy their first home, rather than creating speculative opportunities for developers whose bottom line is profit not social good.

Urban planning is probably THE most important thing a city needs to get right. Nothing causes panic in a city more than 'fait accompli' announcements that seem to threaten the peace, stability and social cohesiveness of citizens. People who have worked hard to get to a certain place on the housing ladder need to be reassured that changes in zoning do not threaten their environment to the detriment of the area they live in. Labelling these people NIMBYS is totally unhelpful and in the current parlance, "othering".

The large turnouts at recent public meetings on Plan Change 29 shows the level of local concern. NCC often argue that such meetings are dominated by older people, who are more engaged democratically, have the time to turn out at meetings and are the ones with most to lose from rezoning plans like PC29. The inference being that there is a silent majority of younger people who just want affordable housing but don't have the time or inclination to attend public meetings. Well, where is the evidence for this? Where are the surveys/polls carried out by independent organisations to back up this view? If they exist, why doesn't the council cite them?

As someone who was engaged in the Save the Maitai campaign, it's clear that NCC regards the submission process as totally distorted by submissions from "older people, who are more engaged democratically, have the time to turn out at meetings and are the ones with most to

lose from rezoning plans ". If that is the case, why bother with submission process? It feels like NCC feels it has to pay lip service to democratic process, but is keen to ignore opposition whenever possible and just push through the things its political masters want. Clearly the previous Mayor was determined to push through the Maitai plan change regardless of the high degree of opposition – will the new mayor be any different?

Local councillors' views and the Panel.
Since the arrival of the new Mayor and the replacement of the committee system by vague "task forces", there has developed an opacity in the NCC in relation to where each councillor sits on various matters including PC29. There were three councillors, plus the Mayor, at the initial meeting I attended, and not one of them put forward an alternative or contrary view, or at least said that NCC had some work to do on the issue. The fallback by all who presented, Mayor, Councillor and NCC planning/consent staff, was "This is the law, and that is what we have to do." Panels of this nature are generally either totally composed of external members with expertise in the field or of internal NCC staff, such as planners, and not a hybrid of the two that we now have in Nelson. As I understand it there are only three members on the "panel," Trudie Brand (NCC Councillor), Rohan O'Neill-Stevens (NCC Deputy Mayor) and an external "very experienced town planner" (Mayor Smith's words) from Auckland, whom he has previously worked with when he was Housing Minister in a National govt. Both councillors are on record as being in favour of PC29 as currently promulgated.

The size and composition of the panel are in serious breach of impartiality and risk being a slam dunk for the establishment view. The panel should be expanded to at least five with perhaps an architect and maybe a social housing developer added to it. Excluding councillors known to have differing views to the mayor is anti-democratic.

Zoning Confusion

Documents included with submission

None

There seems to have been a minimal or absent effort by NCC to properly assess the three precincts laid out in the changes envisaged i.e. General Residential Zone (GRZ) Medium

General Residential Zone (GRZ), Medium Density Residential Zone (MDRZ) and High Density Residential Zone (HDRZ), in terms of what will happen, and where, and the outcomes. I live in The Wood and apparently, we are a special case, but what that actually means, nobody seems to know and nobody has bothered to tell us. Can we expect another fait accompli announcement in due course?

Intensification zones, UDAs and UAPs

Some citizens have asked about the possibility of creating an Urban Development Authority (UDA) for Nelson. A UDA is a statutory body that is mandated to assess, buy and develop land for residential development (e.g. car yards in the CBD). UDAs can be costly so maybe NCC could consider an Urban Advisory Panel (UAP) instead. Such a panel would survey and audit the Nelson CBD. Commercial, retail, hospitality, residential, vacant spaces, buildings in need of earthquake proofing, car parking and pedestrianisation pathways, public transport nodes and routes are examples of what such an audit would entail. This could lead to a map of current and future development possibilities, without the statutory overlay of a UDA. If we accept a degree of intensification is needed, then the planned HDRZ for the CBD is one with the least impact in terms of architecture, aesthetics and higher rise buildings, given that much of the HDRZ will lie within the CBD which already contains many higher rise buildings.

To that end I would propose that the CBD defined by Halifax, Rutherford, Selwyn and Collingwood precinct is sufficient for HDRZ buildings, and that should be its limit. MDRZ could then be perhaps extended out from the CBD as above, incrementally and as and when demand predicates such an outward expansion and ending at the current PC29 HDRZ boundary.

Also, as pointed out by the highly experienced demographer at the meeting I attended, the demographic data for various NCC plans are based on highly dubious interpretations. NCC planners need to take a serious re-look at the data it is depending on to make decisions on Nelson's housing needs in the next 30 years.

Car Parks and Car Yards

NCC needs to address the amount of land in the CBD used by car yards that need to be relocated to places like Stoke and Richmond where there is still plenty of flat, unproductive land available. Also the mooted idea of building apartments over the existing CBD car park squares (allowing parking underneath) should also be seriously investigated and encouraged.

Lastly, NCC should take note of the Stuff article by Timo Neubauer (<https://www.stuff.co.nz/nelson-mail/300992032/can-we-intensify-nelson-without-a-design>) this is the kind of debate that is needed before Plan 29 is finalised and implemented.

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: S466

Date Received Stamp:

30/10/2023

NDOCs No: 539570224-16669

*Required

Submitter Details

Full Name*	Alan Stewart		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	rustys@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.

Alan Stewart

Signature of Submitter*

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

29/10/2023

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 |

- | | |
|--|--|
| ☐ 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)

Nelson City population increase projections

At the PC 29 meeting at Tahunanui School on October 10th the mayor Nic Smith said that the council are planning on a population increase of 12,000 residents for Nelson city by 2048. This increase in the population to 66,000 residents from the current 54,000 residents are based on a 'high population prediction'.

Figure NZ, an independent organization have graphed the population projections for Nelson city to 2048. These figures are based on Stats NZ data and was updated on September 2023

Their high projections assume high fertility, and low mortality and high net migration.

Their medium projections assume medium fertility, medium mortality and medium net migration

- Currently the Nelson population has remained static for the last 2-3 years.

- Over the last twelve months the official New Zealand population has a net decline in the natural population where the natural deaths have outnumbered the natural births. Generally, the older population is living longer. The live births are declining.

- The net migration gain to New Zealand over the last two years (2022 to 2023) are at a high of 130,000, compared to the average from 2015 to 2019 which are at 60,000 residents per year. The record high migration into New Zealand may not continue into the future.

Why is Nelson City Council planning for a 'high population increase' for Nelson city when all the official data over the last two years indicate that the medium projection of the population at 59,000 residents is more accurate.

The council may be planning for 5,000 to 7,000 more residents than can be justified?

Land Stability in the proposed Tosswill Road/ Tamaki Street HDZ area

There have been numerous recent and historic slips in the escarpment above Tahunanui Drive. This section of hillside from Maire Street to below Paddy's Knob is all vulnerable. There have numerous slips below Chamberlain Street, in Tosswill Reserve, in lower Tosswill Road, below Stansell Avenue and below Paddy's Knob.

In talking with Rachel Morgan the consultant planner from Wellington at the end of the Tahunanui School PC29 meeting, she said that no Geotech assessment had been carried out in the Nelson City Council proposed High Density Zone for the Tosswill Road/ Tamaki Street area.

Our own property at 15 Tosswill Road has an official council hazard warning for the Northern corner of our property as being potentially vulnerable to slippage. During the rain event in August 2022 a large slip occurred in the road reserve below the Southern corner of our section.

Why is Nelson City council promoting six storey high buildings (19.5 metres tall) in the Tosswill Road / Tamaki Street area when no engineering assessment has been carried out? Why is Nelson City council promoting six storey high building on sections within this area that have a 'hazard rating' for slips within the Tosswill Road/ Tamaki Street area?

Services for high rise apartment residents

Rachel Morgan the consultant planner said at the Tahunanui School PC29 meeting that planning for high density high rise residential development was around walking distance to shops, social and educational facilities. She quoted 400metres as the generally accepted distance to facilities that planners used in assessing for high density dwellings. She admitted that she had not checked the distances from the Tosswill Road /Tamaki Street area to nearby facilities.

The existing high rise apartment residents in Tahunanui at The Sands and The Beachside Apartments in Beach Road have close access (within 400m) to the following services.

1. Tahunanui Beach
2. Medical centre for doctors
3. Pharmacy
4. Council Library
5. Bakery's
6. Bars with food services
7. Coffee shops
8. Hairdressers
9. Restaurant's
10. Popular fast food outlets
11. Fuel retailer
12. Retail Shops
13. Bus services
14. Bottle Store

The distance from Tahunanui School which is directly below the proposed Tosswill Road / Tamaki Street high density zone to the Nightingale Library is 850metres.

The residents in the Tosswill Road/Tamaki Street area have access to the following facilities within 400metres.

1. Bowling Club
2. One Restaurant
3. Bottle Store
4. Primary School and Kindergarten
5. Bus services, but the average distance to the bus stop is around 400m.

Why is the council promoting High Density Housing in the Tosswill Road/Tamaki Street area when this zone falls well outside the 400 metre distance to facilities than planners use as suitable for high rise apartments?

General Comments

Tosswill Road and Stansell Avenue are relatively narrow roads with limited parking. Why is the council designating both HDZ and MDZ where the roads are not suitable for population intensification?

No parking is required for high rise buildings.

Where will all the cars go when up to 45 units can be built on a section?

We used to have a bus service that ran along Tosswill Road, Stansell, Avenue and Bisley Avenue.

The council recently invested in the blue E buses. Are these buses suitable for the bus route above, especially with the size of the buses and the speed humps?

Housing intensification often means that grass and garden areas within sections are reduced. There is often more sealed areas around high rise buildings.

What will the council do to upgrade the storm water system to cope with increased runoff and less soakage into the ground?

We live in a ROW with 7 properties accessed from the drive. Nelson fire station has a 17m ladder fire truck. If a 19.5 m apartment is built on our section and there is a fire in the apartment complex. The ladder fire truck may not be able to position itself in our ROW and extend its stabiliser legs to access people that could be trapped at higher floors. The Loafers Lodge fire in Wellington highlighted the need for good access to fight fires. How will the council address fire engine access in narrow ROW with 19.5m high buildings?

Back yard plantings of vegetation are an important tool to maintain a healthy environment for native birds.

Shading from 19.5m apartment buildings will completely change conventional garden plantings. How will the council address this biodiversity issue with the loss of habitat for native species?

Currently under the Nelson RMP there is provision for daylight angles for residential properties.

How will the council cope with social issues and mental health issues which arise from the loss of sunlight and the loss of views from HDZ buildings because of this plan change?

The resource consent provision is an important tool allow neighbours to have their say in HDZ buildings and the effects on them and the neighbourhood. All high rise buildings in current residential areas should have to have a resource consent.

The current Nelson City Council track record on addressing illegal building additions that do not comply with NRMP rules is poor. We have brought to the council's attention three additions from our neighbour's that are non-compliant with daylight angles, exceeding the maximum height in a residential zone, and building too close to a roadway. One neighbour applied for a resource consent for an illegal build in September 2018. Mandy Bishop has been managing the consent process since the beginning. Over five years later we are still waiting for a hearing in front of a commissioner.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

I am strongly against the Nelson City Council PC29 plans to add a MDZ and a HDZ to the Tahunanui Hills.

I would like the current NRMP rules to continue in its present form. If there are going to be intensification of residential areas in Nelson these should be in the form of granny flats or small temporary dwellings of a single storey height in existing backyards.

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.

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Tasha Full Name: Tasha Workman Address: Telephone: Email: otw@xta.co.nz
--	--

- ☒ 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

I object whole-heartily to PC29. Some reasons below -
 Sunshine hours effecting other neighbouring properties
 Privacy, traffic - limited parking.
 Infrastructure. Socio-demographics of KO housing
 and how these are policed
 I've spoken to a lady in her 80's who borders 2-story
 Habitat housing - she has lost her morning sun, privacy,
 suffers from mental health now spends most her days in
 Suggestion for how Nelson could solve it's "so called" housing crisis her car

Look for more suitable areas - Naimea Road (opposite
 (altex) - houses are in a declining state, access to town
 is quick.
 Adjust restrictions on tiny homes and levies
 associated to subdividing larger properties

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



Submitter

29.10.23

Date

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

Tuesday 19th September

Online submission

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

Submitter No.	S468
Submitter Name	Synagogue Lane
Submitter Company/Group Name	Synagogue Lane
Submitter is contact	Yes
Email	janeandsteven10@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		We believe that Plan Change 29 is unfair and harmful to current residents in our area, as well as being ill-conceived and not demonstrably to the benefit of future Nelson. For these reasons, we, residents of 1,3,4 Synagogue Lane/358 Trafalgar Square oppose it.

PLAN CHANGE 29 SUBMISSION BY
OWNER-OCCUPIERS OF 1, 3, 4 and 2/6
SYNAGOGUE LANE AND 358 TRAFALGAR
SQUARE

Please accept this submission opposing proposed Plan Change 29.

We do not believe three or six-storey developments should be allowed to be built through our existing family neighbourhoods, especially without resource consent. We feel that, instead, Nelson City Council should explore opportunities of enhancing these neighbourhoods in other ways, such as two storeyed apartments or subdivided sections for low-level builds. This would enable progress in housing development without sacrificing the current appeal of the neighbourhoods and in a way that would be more considerate and reasonable to the existing residents.

Synagogue Lane is a private right of way nestled between Piki Mai, Nile Street East and South Street. Many of the houses down the lane date back to the mid 1800's/early 1900's. Some residents have called this home for over 30 years and a previous resident was in her home for over 90 years. Although we are not a heritage precinct some of our houses are heritage listed. We are surrounded by older, well-established family homes..Nelson's Beth Israel Synagogue was built here and the lane name changed from Church Lane to Synagogue Lane to recognise this significant part of Nelson's history. This residential zone has long fostered a close-knit community where neighbours know each other and families thrive.

We have chosen to live here for the smaller, regional town benefits and advantages that it provides, which include being able to raise children in family homes surrounded by greenery and open spaces, and not in high-rise buildings amongst the usual urban busyness. Introducing multi-storeyed buildings that would tower over these family homes would erase the unique atmosphere of this area and most certainly negatively impact

the quality of life for existing residents. It would interrupt the aesthetic harmony of our neighbourhood and disrupt the skyline.

The impacts on this neighbourhood and infrastructure

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

Three or six storeyed apartments looming over single storey family homes will also cast shadows over these properties, block natural light and be a significant invasion of privacy. These properties were never built contemplating buildings of this height next door and there would be no measures that an existing homeowner could take to minimise these impacts on their property and lifestyle. Subjecting existing residents to these issues would be extremely unfair and unreasonable. If a six storey structure was built in front of our properties we will lose the majority of our natural daylight which in turn will affect our ability to passively heat our home, grow vegetables in our garden, our view over Piki Mai and generally threaten the enjoyment of our properties.

We realise that the Nelson City Council might have done some analysis about infrastructure, but we are worried that rezoning the proposed medium and high

density areas would exert immense pressure on the existing infrastructure. Our roads, utilities and public services haven't been designed to cope with anything more than one-two storey developments. Many of the utilities through this area are old and at times struggle to accommodate the current population density. Significant increases in residents in these areas would strain these resources and negatively impact on the residents' quality of life. The introduction of six or even three storey apartments through our neighbourhood could significantly impact property values in the vicinity. It seems that the analysis accepts there will be an effect on some residents in this way, but that it is just unlucky for them and they should just accept that for a proposed "greater good". Most families in these neighbourhoods choose to live here for the current character and appeal of the neighbourhood, and they make their property investments with these factors in mind. Rezoning these areas to high or even medium density could lead to uncertainty and decreased property values as potential buyers are put off by the impacts of surrounding multi-storey buildings and the prospects of increasing high density living.

As we have shown, we believe that Plan Change 29 is both unfair and harmful to current residents in our area, as well as being ill-conceived and not demonstrably to the benefit of future Nelson. It is for these reasons we, residents of Synagogue Lane and adjacent, are in opposition to it.

Jane Mitchell
Esther McNaughton
Christopher Vine
Brent and Hayley Callaghan
Dan Hanson

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Submitter:

Full Name: **Jontaine White**

Address: :

Telephone:

Email: **jt77@me.com**

Signature of Submitter:



Date: **28th October 2023**

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- 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) Intensification in hazard zones

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

10) On-street car parking

- a) Increased intensification without providing off street car parking will result in significant hazards to pedestrians and road users in some areas of Nelson where roads are extremely narrow, with little or no footpaths, no berms, high retaining walls, steep drop offs and no turning spaces. Some of these roads are all much narrower than would be expected under modern standards with some being barely a single vehicle wide.
- b) On street parked cars, have also narrowed two-way roads down to single lane for two-way access and forced parking on footpaths to become the ‘norm’.
- c) Drivers must carefully share the roads with each other, cyclists and pedestrians, frequently having to pause where there is available space to allow vehicles to pass. Sometimes this requires driving over the kerb and onto footpaths.
- d) In places trucks, including the weekly waste collection vehicles have to reverse quite long stretches because of the lack of anywhere to turn.
- e) In places, visibility of oncoming vehicles is also very poor and dangerous.
- f) Driving up and reversing out of very steep driveways is challenging at best and potentially unsafe.
- g) Access for pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles is difficult and unsafe.
- h) Intensification, without providing on-site car-parking in these narrow road access areas will cause fracturing of neighbourly relations and communities who live in these areas.
- i) See attached photos (Mt St 1-6 and Konini St 1 & 2)
 - i) I strongly recommend that the Hearings Panel conduct a thorough site inspection of the narrow streets of Nelson including, (but not limited to) Locking St, Mount St & Konini St, including on foot.
 - ii) I ask Council to provide a ‘Comprehensive car parking management plan’ as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against the issues of on-street parking.
 - iii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.
 - iv) I ask council to restrict more intensification in the neighbourhoods with narrow and hazardous road access to Standard Residential zoning for road user safety reasons. Eg (But not limited to:-) Mount St, Konini St, Locking St, Locking Tce, Northesk St (East) and Renwick Place.

11) Social Housing

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

12) Infrastructure

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

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Submitter:

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- 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.
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 - ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose

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

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

9) Intensification in hazard zones

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

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- a) Increased intensification without providing off street car parking will result in significant hazards to pedestrians and road users in some areas of Nelson where roads are extremely narrow, with little or no footpaths, no berms, high retaining walls, steep drop offs and no turning spaces. Some of these roads are all much narrower than would be expected under modern standards with some being barely a single vehicle wide.
- b) On street parked cars, have also narrowed two-way roads down to single lane for two-way access and forced parking on footpaths to become the ‘norm’.
- c) Drivers must carefully share the roads with each other, cyclists and pedestrians, frequently having to pause where there is available space to allow vehicles to pass. Sometimes this requires driving over the kerb and onto footpaths.
- d) In places trucks, including the weekly waste collection vehicles have to reverse quite long stretches because of the lack of anywhere to turn.
- e) In places, visibility of oncoming vehicles is also very poor and dangerous.
- f) Driving up and reversing out of very steep driveways is challenging at best and potentially unsafe.
- g) Access for pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles is difficult and unsafe.
- h) Intensification, without providing on-site car-parking in these narrow road access areas will cause fracturing of neighbourly relations and communities who live in these areas.
- i) See attached photos (Mt St 1-6 and Konini St 1 & 2)
 - i) I strongly recommend that the Hearings Panel conduct a thorough site inspection of the narrow streets of Nelson including, (but not limited to) Locking St, Mount St & Konini St, including on foot.
 - ii) I ask Council to provide a ‘Comprehensive car parking management plan’ as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against the issues of on-street parking.
 - iii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.
 - iv) I ask council to restrict more intensification in the neighbourhoods with narrow and hazardous road access to Standard Residential zoning for road user safety reasons. Eg (But not limited to:-) Mount St, Konini St, Locking St, Locking Tce, Northesk St (East) and Renwick Place.

11) Social Housing

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

12) Infrastructure

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

Online submission

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

Submitter No.	S471
Submitter Name	Sue Fischer
Submitter first name	Sue
Submitter surname	Fischer
Submitter is contact	Yes
Email	sue.aaron@xtra.co.nz
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	Stoke infrastructure can't cope now with the new subdivision that have been build over the last 15 years. These new subdivisions have I believe lead to the problems of flooding in the stoke areas. If our infrastructure was up graded we wouldn't have floods zones. Take away bare land with subdivision all linking into our old outdated stormwater and sewage off cause it will cause flooding in the lower land areas. Now you are proposing more housing hooking up to our infrastructure that can't cope now let alone move. Plus sunshine's need to stay as sunshine hours. These should not be changed.	oppose

Documents included with submission

None

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

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

Submitter:

Full Name: **Carol Webster**

Address:

Telephone:

Email: **carolwebster99@gmail.com**

Signature of Submitter:



Date: **28th October 2023**

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

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

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

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

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

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

2) Hearing Panel

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

3) NCC's Population forecasts

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

4) Design Lead and Not Developer Lead Growth.

- a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations and been a cherished holiday destination for many New Zealanders.
- b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.
- c) We need to protect and retain CBD historic facades as an essential part of the character of the Inner City.
- d) Contemporary Black Iron Clad Boxes, built only a few metres from 120-year-old Historic Homes is completely out of character and lacks a long-term vision for maintaining the attraction of Nelson for all the future residents and visitors. See attached photo (out of character 1)
- e) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.
 - i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts to that of areas of historic character value from the early settlement years of Nelson and stop future 'out of character' developments.
 - ii) I ask the Council to appoint an Urban Development Agency (UDA), as per the Nelson Tasman 2050 proposal, (attached) to carefully guide growth and actively facilitate the

emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

5) Sunlight Recession Planes and Shading Effects

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

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Online submission

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

Submitter No.	S473
Submitter Name	Helen Black
Submitter first name	Helen
Submitter surname	Black
Submitter is contact	Yes
Email	helen.hamberg@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		Withdraw PC 29 and go back to the community. Look into what other Western countries do to build affordable apartments and keep green areas and make them people friendly.

I reject this proposal mainly based on my experience of growing up in high intensity housing areas in Stockholm, Sweden.

High-rise areas and one/two story housing areas need to be separated. I find the thought of mixing the two incompatible and frankly irresponsible with the potential of causing various negative neighbourly impact.

- Privacy: Who want to have anyone looking down into one's backyard?

- The noise concern that comes with outdoor living. 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.

All areas with high rise buildings in Sweden have trees, planned parks/green areas for walking, children's playgrounds, picnics with safe footpaths and cycling areas. This is a must for providing both physical and mental healthy living.

Older suburbs with high rise building from the 1900s provide street parking, newly built housing areas often provide underground/special parking buildings to apartment owners.

Local/national government could regulate for property developers to buy up existing sections over time and allocate various areas for high rise buildings without the impact on the traditional NZ house/section owners.

This proposal comes across as a patch up job to help to help increase the growth of the region. Personally I question the intensification of this hilly region because of the heavy price on lack of green areas, safe roads, footpaths and cycling areas. It's already too congested due to old planning and hills. This proposal is basically giving up quality for quantity.

I question why NZ apartments are unaffordable for most people. In the rest of the world most people can afford to live in apartments, but not in New Zealand. This needs to be look into.

We need affordable apartments for young people starting out and the elderly. This would free up housing for families.

As for sun. I live in the Brook. I have five hours of sunshine midwinter. It's very hard to dry washing; no point to have solar panels; I need to heat my house for longer times than people outside the Brook which make living here more expensive.

I ask NCC to be mindful of allowing new developments in damp, shady areas. Keep them green.

Infrastructure: I've had part of my Brook section flooded with sewerage twice in the last 12 months as has a neighbour. Current infra structure is not fit to deal with existing housing. I also question the capacity requirement for storm water around the city.

Growth of population, locally/nationwide and fear-mongering: Dr Geoffrey Robert Hayes submitted to this proposal something I found concerning:

"The citizens, residents and ratepayers of Nelson have a right to expect that the Nelson City Council will adhere to the highest scientific standards (including accuracy and transparency) when making proposals to change the conditions of life within which we live."

"Is the difference important? Well, this depends on the context in which these figures are used. In the context of the announcement of plan change 29, publishing a higher percentage population growth rate than is warranted has the effect of over-stating future population increase and therefore exaggerating the need for Plan Change 29. Also, when local governments and territorial authorities are competing for funds from the central government, a difference of 7 percentage points may well be highly significant." (His submission p. 4-5)

WHAT DO I WANT COUNCIL TO DO?

(Also from Dr G R Hayes)

- Withdraw PC 29 and undertake modifications based on community input;
- Put a revised PC29 out for further consultation and ensure that all essential documentation is available to ALL citizens, residents and ratepayers;
- Stop using the flawed population projections of 2020 as a planning tool. Cease using this projection for the next FDS or in support of plan changes such as PC29;
- Immediately release the population projections prepared by DOT consulting for public scrutiny and commentary;
- Arrange for a peer review of the projections carried out by DOT under contract to the NCC by qualified specialists. Specifically, the peer review should focus on the migration assumptions employed by DOT under direction from NCC. Form a working group of economists and other social scientist along with business and community representatives and the Nelson Development Agency to formulate a more realistic set of migration assumptions based on the economic development prospects for Nelson;
- Only after a peer review, prepare a new HBL using a set of projections supported by a consensus of experts and community representatives. Ensure that the "competitive margin" is applied correctly and transparently