Plan Change 29 Hearing Notes

Kia ora commissioners, and thank you for the opportunity to address you in support of my submission. My name is Shelagh Noble, and like many concerned citizens of Nelson I wholeheartedly support intensification, and live in a central apartment myself.

I am a full member of the NZ Planning Institute. I've worked across strategy, policy, consents and compliance with the Tasman RMP and the Wairarapa Combined Plan since 2007; and given advocacy and mentoring advice in relation to the Nelson RMP and planning generally. For 10 years prior I was Manager City Development at Campbelltown Council in Adelaide, dealing with intensification and stormwater issues, and running fortnightly hearings on planning consents. This Council was the same size as Nelson.

My 20 year Australian experience as a planner has formed my views … as the system in South Australia at the time was accessible to the community at large, despite no third party appeals on residential development. It was efficient and cheap. So you can imagine I've had to experience quite a culture shock professionally working with the Resource Management Act. (I AM a kiwi … just happened to live in Oz for 30 years!)

Three aspects of my past experience have influenced my submission. The first is a document I wrote called Character Analysis of the City of Campbelltown – which describes the existing character, and proposed Desired Future Character Statements, which were inserted into the District Plan. The second matter of interest relates to on-site stormwater management, where we contracted the University of South Australia to model the potential flooding effect of increasing density and propose management solutions. New dwellings were required to install rainwater tanks to both detain and retain stormwater on-site. The third matter is local. As part of a Strategic Review and 2 plan changes for the town of Wakefield, we now have a residential area close to the centre of the village with no notification provisions and full discretionary consent status.

I am happy to answer any questions from the panel in relation to any of these matters, as you might recall from my submission I have an issue with the concept of Planned Built Character, and the silence about both stormwater and notification provisions in the s32 evaluation.

I note that requests for 'character areas' have been deemed out of scope, however my submission relates to the inadequacy of the term 'Planned Built Character'. I don't think Plan Change 29 knows what this is. Hence my request for the residential provisions to be withdrawn, proper neighbourhood assessment done (as per the recommendation in the Future Development Strategy), and a variation brought forward.

Now I realise my beef is as much about central government planning provisions as much as Plan Change 29, and the planners – bless them – have had a hard pill to swallow with the NPSUD. The medium density residential standards have a

bias against ‘amenity’ even though Objectives and Policies in the Nelson Plan speak loudly in favour of such. Amenity is even defined in the RMA itself – ‘those natural and physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes’. This is a central core of urban planning and design.

Yet Policy 6 of the National Policy Statement on Urban Development brazenly states ‘the planned urban form may involve significant changes to an area, and those changes may detract from the amenity appreciated by some people but improve the amenity appreciated by other people, communities and future generations (by providing increased and varied housing densities and types.)

And it goes on to say (and I quote) – these changes are not in themselves an adverse effect!!!

So I feel for the planners having to navigate such nonsense.

In my humble opinion we should be able to have increased density AND reasonable amenity.

With regard to amenity what concerns me most is the removal of the daylight recession plane (and amendments to Appendix 15). The afore-mentioned Policy 6 is in itself conflicting. While decision makers must (under Policy 6(b)) have regard to their plans supporting medium density; they must also have regard to the current and future effects of climate change (Policy 6(e)). The amendment to the sunlight access provisions flies in the face of this when solar panels are compromised.

The current Nelson Plan is itself inconsistent in the use of daylight and sunlight. These are two different things. Any window will let in daylight. Sunlight is the essential ingredient for solar access. The current provisions are based on adjacent buildings being generally within a 35 degree angle of recession, measured from a height of 2.5 metres at the boundary. I recognise that the planners have recommended a change to the notified angle of 60 degrees measured from 4 metres at the boundary at the rear of a property (the angle has changed to 35 degrees but the height is still 4 metres). In my view this does not go far enough. Nelson practitioners are familiar with the current standards, and while they might limit the scale of development on a small site, the Urban Design Analysis by Cam Wallace fails to consider that for medium density development to be truly economic, site amalgamations would be the way to go. And I disagree with the planner’s opinion that it is hard to measure the angles.

Finally, Rules in Plans are only ever going to stop the worst excesses – and are no guarantee of good design … all the more argument for proper neighbourhood character assessments leading to better policy guidance.

Thank you for the opportunity to share my views.
Shelagh Noble MNZPI
Tuesday 27 August 2024