

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: <u>5725</u>
Date Received Stamp: <u>31/10/23</u>
NDOCs No: <u>539570224-17756</u>

*Required

Submitter Details

Full Name*	<u>STEPHEN JOHN MACE</u>		
Organisation			
Contact Person	<u>Steve Mace</u>		
Postal address*			
Telephone*		Email*	<u>steve1mace@xtra.co.nz</u>

Trade Competition*

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

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

Council Hearing*

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

Public information

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

Signature of Submitter*

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

29-10-23

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)

See attachment at back.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

Note:

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

I TOTALLY OPPOSE PLAN CHANGE 29

NEGATIVE EFFECTS OF PLAN CHANGE 29

There are many negative effects with Plan Change 29 such as...

Daylight Angles

Parking Issues

Noise Issues

Issues around the lack of Infrastructure in relation to intensification

Destruction of the existing character of our city

Residents views and outlooks

Negative Health outcomes of residents due to the above negative effects.

SOLUTION

A degree of housing intensification in site specific locations has been happening in central Nelson for some time and much of that with what seems to be very low impact. This should be allowed to continue. This should only be in site specific locations under existing rules never wholesale zones as Plan Change 29 advocates.

It should also be made easy for people to do very low impact intensification themselves such as granny flats, putting in a second dwelling on a large section, dividing an existing dwelling into two units or subdividing larger sections.

PLAN CHANGE 29 seems to me to be panic planning that will result in a huge loss of character to what is currently a beautiful city and an awesome place to live.

29/10/23

Stephen John Mace



Delivered personally

Rec: 31/10/23
sub No. 5726

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29 NCC: 539570224 - 17757

TO: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 NELSON 7040	Submitter: Full Name: <u>JOHN BARTHEM BULLOCK</u> Address: Telephone: Email: <u>John@jbbullock.com</u>
--	--

- ☒ I do not obtain an advantage in trade competition through this Submission
- ☒ I wish to be heard in support of my Submission at the Council Hearing

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

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

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

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

Other comments or concerns I have about Plan Change 29

As mentioned below, there are areas like St Vincent Street where light industry could be relocated from to make room for affordable apartments vs impacting residents well being and sunlight levels. Lets keep Nelson attractive to move to.

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

Review Japan's example of affordable housing in compact low-carbon neighbourhoods. Have civic debate and bring in urban planners & landscapers + residents to properly consider all aspects of how land is currently used eg St Vincent Street - Why not push out light industry to a Nelson industry park?

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

Submitter signature

JB Bullock

Date

30 October 2023

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

+ Eusebio

Delivered personally

Received: 30/10/23
Sub No: 5727
Nox: 539570224-17762

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

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

Submitter:
Full Name: Nicola Hawes
Address:
Telephone:
Email: nikki@nicolahawes.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

The impact to residents and areas of character to the city will be significant. More big box housing is unattractive as was big box retailing. Consider high value, low rise, spaced out housing estates beyond Atawhai.

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

Don't build in areas like proposed Maitai subdivision. That will necessitate future remedial work from imminent flooding. I would like to see international studies on sustainable Eco-villages.

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

Submitter signature

Nicola Hawes

Date 29/10/2023

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

RMA Submission Form for Publicly Notified Plan Change 29

Return your submission by 4pm on
Tuesday 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*	Linda Mace		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	just.gym@xtra.co.nz

OFFICE USE

Submission No: 5728

Date Received Stamp:

31/10/23

NDOCs No:

539570224-17760

Trade Competition*

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

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

Council Hearing*

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

Public information

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



Signature of Submitter*

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

30.10.23

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 ☐ Residential ☐ Inner City and City Fringe ☐ Industrial ☐ Suburban Commercial ☐ Natural Hazards/Climate Change ☐ Heritage	☐ Papakāinga ☐ Transport ☐ Mapping ☐ Infrastructure ☐ Area outside of Plan Change ☐ Subdivision ☐ Other
I/we*: ☐ Oppose the Plan Change in part ☐ Support the Plan change in part ☐ Are Neutral about the Plan Change	
☒ Oppose the Plan Change ☐ Support the Plan Change ☐ Request amendments to the Plan Change	
My submission is*:	

As a resident of Rutherford street I have multiple concerns to the planned changes to Plan 29 which would allow the surrounding area to be a High Density Residential Area and therefore oppose the Plan 29 change

Plan 29 changes concerns

Decrease in sun and an increase in shade

Allowing a 5 storey apartment building into the neighbourhood would decrease our sunlight hours, in some cases reduce them completely. This is at odds with keeping homes warm and dry, and having space to be in the sun which enhances overall well being. Reducing the amount of sun onto an existing property impacts of the benefits of solar panels used to generate electricity. For those who grow their own fruit and vegetables, plenty of sun too is vital.

Affordable housing?

A main reason given for higher density is for more affordable houses. Multiple storey building are not cheap to build. Would they really provide more affordable housing?

How do schools provide for an increase in population in the inner city?

Schools in the area are already at capacity so where would any new students moving into higher density area go for the schooling.

Increase in use of roads and where do people park?

Congestion on our roads too is a concern. More housing, and particular multiple storey apartment complexes bring with them a rapid increase in vehicle movement, on roads which are already congested and slow during peak times. More often than not households have two, or more vehicles where do they park?

If new builds are not required to provide off street parking, where do people charge their electric cars.

Areas of Nelson will loose their beauty and character which is a major reason to live in Nelson.

The area between the colleges has long be sort after as a place to buy, with its close proximity to schools and town. The area is an asset to Nelson, with many beautiful homes with equally beautiful gardens. Adding 5 storey complexes will detract from an area which is an asset to the Town.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

Changes sort

- That resource consent still has to be given for buildings of multiple stories, which include daylight angles restrictions that dont allow for total shading of a house.
- A more detailed look at more affordable housing options. Queen Street Holiday park in Richmond, is providing long term, affordable accomodation for people.
- How will the council provide space in schools for all school age children living in high density area?
- All new builds must provide off street parking for at least one car per household as is currently required.
- In order for our city to still have character and beauty all new builds must fit in with existing residential builds with buildings over 2 storeys having to meet consent requirements

I dont disagree that housing is expensive and multi storey complexes can be a way of providing more accommodation. Multi storey complexes like the Quest apartments on Collingwood street, the new builds on Halifax street and Haven road, are built in places where residential accommodation may not otherwise be built. Their impact on surrounding houses is limited or non existent. Surely we have other such spaces that could become fit the model of higher density, with limited impact on the existing residents, like lower St Vincent Street opposite commercial business.

Christchurch rebuild has seen more housing build on sections that typically would have once had just the one property. These new builds are built in such a way that off street parking, areas of privacy and daylight hours have all been taken into consideration and provided for. Being built at the same time they compliment each other rather than imposing on existing builds.

Note:

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

RMA Submission Form for Publicly Notified Plan Change 29



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: **5729**

Date Received Stamp:

31/10/23

NDOCs No:

539570224-17763

*Required

Submitter Details

Full Name*	Ian Wishart		
Organisation			
Contact Person	self		
Postal address*			
Telephone*	Email*	landouglas at inspire.net.nz	

Trade Competition*

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

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

Council Hearing*

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

Public information

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

Signature of Submitter*

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

Date*

31/10/23

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

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

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

My submission is*:

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

See Attachment

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).

Rejection of Plan Change 29
as it currently stands.

Reformulation of PC 29
in line with issues put
forth in this submission

Note:

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

Submission on Plan Change 29

Submitter: Ien Wislent

SUMMARY STATEMENT

randomly at inspire.net.nz

I ask the Nelson City Council to reject PC29 as it currently stands.

I support the general idea of intensification to reduce car emissions and urban sprawl. However I find the proposals put forth in PC29 will have too many foreseeable and unintended consequences to be acceptable in its current form.

I have a general concern that the planned intensification of Nelson is being rushed without prior spatial planning and design considerations.

I have three particular concerns. [1] I am deeply concerned that no consideration has been given to reduction in the property values of adjacent and nearby homes and property. [2] I am equally concerned at the lack of consideration for allowing tall building to obstruct the views of nearby homes. [3] I am concerned that both permitted and discretionary/non-complying activities are allowed to proceed without reference to the views of those living nearby.

Thus I ask council to reject PC29 in its current form.

I HAVE NUMEROUS OTHER CONCERNS.

As stated, I oppose the idea of allowing random construction of high buildings without prior spatial planning and full community consultation on options around where high and dense development might be most appropriate. We need extended and open design considerations which can maximise aesthetics and sustainability, and minimize oppositional activity from other residents adjacent and nearby. **This discussion needs to be led by architects and not planners and engineers and council consent officers.** PC29 has had no such discussion around design considerations and despite some consultation around the FDS, there has been no discussion about how to design lovely 2-4 buildings and integrated **LIVING** neighborhoods. I am opposed to six storey buildings anywhere outside the CBD.

General Discussion

The purpose of PC 29 is to implement the NPS-UD 2022, and the preceding RMA[EHS] Amendment Act 2021. These in turn are intended to address the [1] price and [2] supply of housing in New Zealand. The putative underpinning causes of 1 and 2 are held to be the difficulties with provisions around land supply and planning permission caused by the council enacted provisions of the RMA 1991. As well as the above, I have several other concerns.

[i] In my opinion, there is a mismatch between PC 29 and the NPS-UD / RMA [EHS]. That is, PC29 goes beyond what these two statutory documents require. There is nothing in the NPS-UD that mandates high intensification despite the council's claim that the NPS has prescribed 2, 3, and 6 storey apartment buildings to be built randomly where-ever a developer thinks he/she can make a fast buck.

Indeed, the statutory *imperatives, as in the RMA, the RMA[EHS], the NPS-UD, the Medium Density Residential Standards, the National Planning Standards, and the PC29, are not aligned at all.

[ii] I also note a mismatch between PC29 and the Nelson City Council NPS and some of the NRMP objectives and policies.

[iii] I am concerned at the lack of detail with consent requirements for Discretionary/Non-complying activities in all zones. I am concerned that many basic decisions will be being made by planners and council consent officers without clear criteria being available for the public to consider.

[iv] I consider that there is a mismatch between the NPS-UD and the RMA[EHS] and some of TRUE causative MACRO factors underpinning the cost and supply of housing in New Zealand.

[v] I also note that in the lead-up to the recent election the leader of the National Party promised to repeal legislation around intensification and that this party now constitutes the Government of New Zealand. Thus PC29 is premature and quite probably has elements that will be superfluous in future settings.

The Mismatch between PC29 and real MACRO factors underpinning housing issues in New Zealand

Successive NZ governments have failed to address fundamental issues around training New Zealanders to provide the required types of skills and labour necessary for economic development of NZ. I refer especially to the fields of medicine, agriculture, healthcare, information technology, and construction. Economic and social mismanagement by successive NZ governments has been covered up by the national party and the labour government agreeing to pin some sort of bogus solution to our woes on housing intensification.

Our nations last four governments have IMPORTED the laborforce necessary for filling in the employment gaps by way of intense immigration over the last 20 years. The immigration of 120,000 people over the last year, and the obvious strain on housing supply to accomodate them, is evidence of this. On going immigration of this sort will always present a shortage of housing across NZ. Our nation

has deep and dark problems of a social nature caused by inequality and historic colonialization which will not be fixed by stuffing everybody into tall slums.

Secondly, Governments have sat by while people have been encouraged to invest their money in already built housing and to accumulate and hoard houses. This has diverted capital away from building houses and other infrastructure and has led to a shortage of houses to buy and houses to rent.

Thirdly, the blame cast on RMA processes for holding up housing development is a red herring. The real blame lies in [1] land banking profiteering and [2] the propensity of property investors and developers for building high-cost houses rather than affordable ones.

PC 239 will result in more costly houses in Nelson. Two, three, and six-storey apartment buildings will simply be built for maximizing profit for developers and investors on a continuing basis.

The mismatch between PC29 and the NPS-UD, and the RMA [EHS] Amendment Act.

I will focus only Objective 2, Policies 5 and 6, and sections 3.6, 3.25, 3.37, and 3.9, of the NPS-UD.

Objective 2.

PC29 does not elucidate how intensification will affect house prices. Certainly,, as currently formulated, PC29 will result in a reduction in property values of properties adjacent to high rises.

Policy 5

Tier 2 towns need to intensify only to the extent of the *"relative demand for housing in that location"*. According to the council's own documents, Nelson has sufficient planned space available for the next 30 years of population projection. We simply do not need to put all new Nelsonians into skyscrapers at this point in time.

Policy 6

"Planned urban built form may involve significant changes to an area" and " may detract from amenity values appreciated by some people". Decision-makers must have regard to this issue.

The loss of views and property value is a major loss of amenity for any resident.

Regard must also be had for climate change. Hence renewable energy in the form of photovoltaics which requires UNOBSTRUCTED maximum sunlight .

Section 3.6

The NCC RPS needs to have bottom lines around housing capacity and price derived from the HBA. It currently does not.

Section 3.2

PC29 should contain an analysis of HOW it affects the price of housing. It does not. The price of two storey apartments buildings in Nelson currently are well into the 700k range even though they are just henhouse type slums.

Section 3.37

The council must monitor development outcomes in residential zones. It does not.

Section 3.9

There must be on-going monitoring of development capacity and house prices and the competitive margin. There is no evidence of this in the council "books".

SUMMARY

PC29 must be reconfigured. There must be no permitted category for buildings over one storey in the general residential zone. Intensification and height issues must be considered on a spatially planned basis with full input from the community on location and design issues. PC29 must contain a lot more information about how it will reduce house prices in Nelson.

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

Submitter: Stephanie Gray
Full Name: Stephanie Anne Gray

Address:

Telephone:

Email: stephontherun@yahoo.com

Date: 30 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.

This is my second submission.

The first submission was made passionately, my reaction to what I had learned about the plan. I stand by my first submission entirely. This second submission is more specific, now that I have attended a council meeting, talked with neighbours and had the chance to read some (not all of) council-supplied information.

This second submission is to firmly communicate my main points that I see warrant a complete re-do of an intensification plan, and the cancellation of PC 29.

1) The Plan Change 29 process. I want to acknowledge:

- a) That I have not been able to adequately read all of proposed PC 29 documentation due to its size and complexity.
- b) While the Trafalgar Centre meeting was useful, a second meeting that a friend attended (to gather information for several people) at Victory Community Centre was less than useful. Specific questions about Nelson South could not be answered, which I consider unreasonable for a targeted Nelson South community engagement meeting.
- c) That the council's insistence, in communications such as Our Nelson, that submitters 'provide a solution' or take a solutions-based approach, to be unfair and insulting. Also passive aggressive in its tone, off-putting to those who can only see the problems and not a solution. To identify a problem, and validate it in a submission, is enough. It's then to council to find solutions.
- d) 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.

This is unreasonable and just plain wrong.

- i) I am asking Council to withdraw PC 29 and get Council Planning staff to refine the plan design and then put it back out for public submissions.

2) Hearing panel

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

3) NCC's population forecasts

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

4) Design-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 and been a cherished holiday destination for many New Zealanders and visitors to the country.
- 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) Green spaces, green belts and landscaping are essential for the look and feel of some of our older neighbourhoods. They are just as important to plan for in greenfield development also. 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. They are critical to a well-functioning ecosystem of birds and insects as pollinators.
 - i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts that still have historic character value from the early settlement years of Nelson.
 - ii) I ask the Council to appoint an Urban Development Agency (UDA) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

5) Sunlight recession planes and shading effects

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

6) Privacy and Outlook

- a) Privacy is a critical part of enjoying a property.
 - i) I support the inclusion of RE2.4.iii, but ask Council to add the following [bracketed] words. 'The building Act controls windows in walls of buildings on or close to boundaries and the outlook rules ensure that residential units **[and their neighbours]** have a

reasonable degree of privacy as well as encourage residential units to be orientated towards the street or public open space’.

7) Intensification

- a) I strongly oppose all High-Density Residential Zones in existing, established neighbourhoods comprised of single-level residential homes.
- b) 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. There might be places to allow for high-density zones in an alternative plan, in a greenfield area, that would not negatively affect the existing community. But for now, remove HDRZs from the plan.
 - 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.
- c) 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. Of all places, this is where any medium or high-density zoning should go – people then choose to purchase, rent and live in high-density areas, rather than having it forced upon them where they already live.
 - 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.
- d) 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 has many empty apartments.
 - i) I ask Council to consider solutions to mitigate against new-build empty holiday apartments.
- e) 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.
- f) Bigger older properties, could be better utilised and help with our growth if they were more easily allowed to be divided into multi-dwellings.
- g) 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.
- h) 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.
- i) 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 use of car only spaces, by developing them into shared spaces, with accommodation overhead. 'Nelsust' highlights 44% of the inner city as car only spaces.
 - ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences'.
- b) Secondly, city fringe would be the next zone to phase in for intensification.
 - i) I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land that can be better used for accommodation.
 - ii) I ask Council to consider options for repurposing commercial car yard in the city fringe. Why are there kilometres of commercial car yards in our inner city, made of concrete and devoid of life, when this space could be higher-density apartment living – the '15-minute' city we aspire to?
- 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, including slope instability, because these areas have been assessed as vulnerable and given that we are in a climate crisis, with increasing record-breaking weather events, affecting increasing areas of Nelson in ways not seen before then, I believe those areas should be treated with caution.

10) On-street carparking

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

11) Social Housing

- a) 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.

31 October 2023

Submission on Plan Change 29

To: environmental.planning@ncc.govt.nz

Name: Tord Kjellstrom

Address:

Email: kjellstromt@yahoo.com

This submission concerns Plan Change 29. My focus is on where to start the process of intensification of land use and residential areas.

I support the plan change provisions for providing combined residential and commercial use of land close to the CBD of Nelson in current commercial areas. It is better to start with the intensification process in these areas, rather than spreading multi-story buildings into typical one-story residential areas. This will avoid much of the emotional negative reactions to the Plan Change that media has reported.

My reason for supporting this approach is that the intensification is necessary as a way to change our current urban design to a more carbon-limiting future design that reduces our influence on climate change. By starting with commercial areas and preparing good urban design plans for whole areas, it is likely that NCC can create a new vibrant city centre with lots of people living in close connection with businesses, schools, hospital, etc. My back of the envelop calculation indicates that with 6-story buildings combined with 1-story or 2-story areas, as many as 5,000 people could be living in the current commercial area from Victory square to Suter gallery.

I wish Nelson City Council to decide to start by exploring how a plan change for the commercial areas would work out, and to prepare a detailed modern environmentally friendly urban design plan for the area mentioned above, including estimates of population size in this area.

I don't wish to speak at a public hearing, but I would like to be there to hear the discussion. I can gain nothing in trade competition from this proposal.

Tord Kjellstrom, former Professor of Environmental and Public Health



END

Rec: 31/10/23

Submission: 5732

NDOCs: 539570224-17770

Form 5

SUBMISSION ON NOTIFIED PLAN CHANGE 29

TO NELSON CITY COUNCIL

NAME JOHN MALCOLM FITCHETT

THIS is a Submission on the following proposed Plan Change ("the proposal")
NELSON CITY COUNCIL PLAN CHANGE 29

I COULD NOT OBTAIN an advantage in trade competition through this Submission

I REQUEST that the Council resolves under Schedule 1 Clause 8D Resource Management Act to withdraw the Plan Change 29

ON THE GROUND that there has not been compliance with the statutory prerequisites for a Plan Change (and processing the same) in that

- such consultation as it undertook (in addition to Section 3 (1) RMA) was not done in accordance with section 82 Local Government Act; and
- the purported extension of time for Submissions to 31 October was unauthorised

THE SPECIFIC PROVISIONS of the proposal that my submission relates to are

- the whole of the proposal

MY BASIC SUBMISSION opposing the proposal is summed up in my opposition to:

- the proposal's deletion of the NRMP Policy 1.2c which provided that it was necessary that any residential development "*does not diminish the amenity of neighbouring sites*"; and
- the proposal's repeated use of the expressions "*planned built*" and "*planned built character*" of a zone: for I interpret such words as meaning that on a consideration of any Resource Consent application the Council Planner commences with the premise that anything (for example in the HDZ) which does not exceed a height of 12 metres at the boundary and 19.5 metres at the top of a recession plane (and complies with all the other Rules), is acceptable without question or enquiry; and
- the theory that the existing "*character*" of an area, and the prospective loss of amenity by neighbours (and the neighbourhood) is to be treated as subservient to the entitlements set out in the proposal
- the statements that there is a "*housing crisis*": as set out in the proposal, and the Section 32 Report, and in various written comments from Council Planning staff

MY FIRST FURTHER SUBMISSION is:

I oppose the proposal in its entirety;

and as grounds/reasons I rely on all the grounds set out below

MY SECOND FURTHER SUBMISSION (if my opposition to the whole of the proposal fails) is:

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



MY THIRD FURTHER SUBMISSION (if any portion of the HDZ aspect of the proposal is to remain) is by way of a series of individual Submissions thus

I Oppose the following aspects of the proposal

- 1 the inclusion of recession planes (in any Residential Zone) which commence at a height greater than 4 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 11 metres;
- 4 the proposed reduction in rear and side yard Setbacks in Residential Zones:
- 5 the parts of proposed Rules REr 19 which provide that certain developments on a site are "*restricted discretionary*" and specifically with
 - no "notification"; and
 - neighbour's consent not being required even though they are *affected persons* ;
- 6 any use under REr.19 which is "*restricted discretionary*"
- 7 Council's discretion being restricted in various portions of Rules under REr.19 in such manner that the basic premise
 - that 6 storeys (and/or 19.5 metres of height), and
 - recession angles which are at an angle and commencing height so that neighbours may sometimes not see any direct sunlight at any time;is acceptable everywhere in the HDZ
- 8 the inclusion of REr.19M requiring 20 % glazing to the street
- 9 the specific wording (but not the principle) of the proposed Rule REr.19T.1 that allotments adjoining Heritage Precincts or Heritage Buildings have a height limitation of 8 metres
- 10 the inclusion of REr.19T.3 meaning the owner of the heritage building has no involvement in whether a 6 storey building can be erected next door
- 11 the whole theory of "*planned built character*" of the HDZ (as set out in many places of the Objectives and Policies, and in the Rules in Chapter 7), 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 any required "*discretion*" on the basis that
 - a building 19.5m of height
 - a building with 12 metre walls 1 metre in from the boundaryis appropriate in a residential area: and in particular in the HDZ
- 12 REr. 38A relating to the provision of cycle parking
- 13 the exclusion from higher density zoning of areas eminently suitable for the same, and areas where such development has already taken place – e.g. Wakefield Quay
- 14 the inclusion of "*and commercial*" in the definition of Papakainga In relation to GRZ, MDZ, and HDZ residential zones
- 15 the absence of any requirement to retain "*permeable landscaped areas*" in the defined manner subsequent to completion of a building on the relevant allotment
- 16 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") or Medium Density Residential Zone ("MDZ")



and as grounds/reasons I rely on all the grounds set out below

MY FOURTH FURTHER SUBMISSION (if my opposition to the whole of the proposal is not successful) is in respect of other Zones or contents of the proposal

I Oppose

- 17 Rule ICr.31A prohibiting Private Carparking use in the Inner City Zone
- 18 Rule ICr.31B requiring cycle parking to be provided and maintained on each site as part of any development
- 19 Rule ICr.32.1b requiring the micro-mobility access being required and maintained for each site as part of any development
- 20 Rule ICr.37A.1 allowing the height of 24 metres as the maximum for buildings in the Inner City Fringe Zone: but I do not Oppose a height of up to 20 metres
- 21 Rule ICr.37D.1a prohibiting new residential use of the ground floor within the Inner City and Fringe Zones
- 22 Any Rule requiring that new buildings in the Inner City Commercial must have commercial use on the ground floor;
- 23 the deletion of the Church Hill View Shaft Overlay, and Heritage Precincts in the Inner City Centre and Fringe Zones; and
- 24 the inclusion of a new Heritage Zone in Richmond Avenue: but only to the extent that such should not be planned for if Council is firmly resolved to destroy (or substantially reduce) the residential amenities in the proposed High Density Zone area
- 25 IC3 – providing that for every new building in the Inner City and City Fringe a Resource Consent is required
- 26 the requirement to have “*glazing to the street*”
- 27 the standards proposed for Comprehensive Residential Development (CRD) to be able to progress without needing a Resource Consent
- 28 that part of OC2.6.i and any other inclusion of Objectives and/or Policies which promote the partial closure of Trafalgar Street

AND I OPPOSE the following detail (some of which may be repetition of aspects raised above)

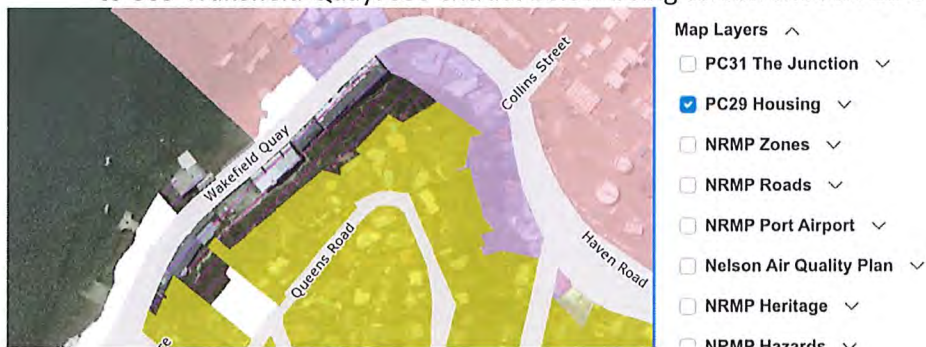
- 29 the inclusion of the last 22 words of DO1A.2.4
- 30 the inclusion of the words *and commercial* in DO1A.2.5 and where-ever they appear in relation to Papakainga
- 31 the inclusion of mandatory reliance on the relevant iwi authority for advice as set out in Advice Note after DO1A.2.6
- 32 the proposed deletion of the first 10 words of DO13A.3.3
- 33 the absence from the Planning Maps of identification of specific properties said to be “*Ancestral land*” relevant to Papakainga
- 34 the inclusion of *compatibility with planned built character of the zone* in DO13Ae.1.1
- 35 the deletion of *characteristics* and inclusion of *planned built character* in DO14.1.2
- 36 the deletion of *impact on amenity values* in DO14.1.3.ii
- 37 the deletion of *shall be maintained or enhanced* and addition of *are improved for future generations* in DO14.2 - in relation to amenity values
- 38 most of the proposed additions to DO14.2.1 – which I interpret as saying “*there will be a loss of amenity values for present residents but that this is necessary to support a well functioning future urban environment*”



- 39 the addition of *within the context of the planned built character of the zone* in DO14.2.1
- 40 the inclusion of references to *planned built character* in DO14.2.1.iii
- 41 the additions and deletions in DO15.1.1, and DO15.1.1.i
- 42 the deletions in REd.3
- 43 the inclusion of the “planning speak” in REd.9 and REd.10 and inclusion of statements such as “*within well-designed neighbourhoods that have good levels of residential amenity*” in a situation where
- the proposal acknowledges that amenities will be reduced, and
 - (especially in the HDZ) there is little or no prospect or ability to “design” the neighbourhood: it being already fully designed
- 44 the omission in this (or any) portion of the proposal of an explanation as to what is “*planned built character*” of the HDZ – beyond making clear that it includes buildings 19.5 metres high anywhere (and potentially everywhere) in the zone having been built without prior knowledge or consent of the neighbours who will then lose all sunlight for periods of the year
- 45 the inclusion of the last sentence of REd.10, and in particular the statement that “*development will have regard to the amenity values of existing residential sites*”: even though such statement is patently false, and no rules in the proposal require such regard to be had
- 46 the deletion and inclusions shown in RE1.1. RE1.2 c, d, e, & f
- 47 the deletion of RE1.2.iv
- 48 the deletion of RE1.3
- 49 the deletion or comprehensive amendment of RE1.8
- 50 the inclusion of RE1.8.ii which places the amenities of future residents of 6 storey apartment blocks as higher/greater than the amenities of existing nearby residents and residences
- 51 in inclusion of *planned built* in RE2.4 & RE2.5
- 52 the inclusion of *most* in RE2.5.iii
- 53 the wording of RE2.9 – which currently states that existing residents will retain a *high standard of amenity* even after a six story building (being 12 metres on the boundary) is built next door without their prior knowledge or consent
- 54 the proposed deletion from REd.3
- 55 the proposed inclusion in REd.6
- 56 the inclusion of REd.9 and .10
- 57 the inclusion of *The Wood* under RE1.4.i
- 58 all reference to *planned built* in RE2.4 and RE2.5
- 59 the absence of identification of land said to be “*ancestral*” : being land that could be used for papakainga in a residential zone
- 60 the inclusion in AA.3 of any reference to commercial use on papakainga
- 61 the inclusion of AA.4 in relation to general title land
- 62 the inclusion in AA.4 of the provision that decisions will be made without public notification
- 63 the inclusion of AA.5
- 64 the inclusion of the word “will” in the second line of AA.6 c
- 65 the inclusion of *an increasing number* and the deletion of *only a handful* in ICd.9
- 66 the addition and deletion in IC1.3.i and the deletion in IC1.3.iii



- 67 the deletion of IC1.7.iv
- 68 the additions and deletion of IC1.9.i
- 69 the inclusion of IC2.3 in its present form of planners talk
- 70 the deletion of IC3 a & b
- 71 the inclusion of IC3.1.vii
- 72 the inclusion and deletions of IC3.2, and IC3.2.i and ii
- 73 the inclusions and deletions in IC3.3.iii and iv
- 74 the omission of *and a car* in the last line of IC4A.1.i
- 75 the omission of reference to protecting amenity in adjacent residential zones from height entitlement in Inner City Fringe (assuming that it is omitted)
- 76 the deletion of *and transient* from ICe.2
- 77 the inclusion of *not* in ICr31A.1
- 78 the deletion in IC 31A.4 h
- 79 (as above) the inclusion of ICr.31.B
- 80 (as above) the deletion of ICr.33
- 81 (as above) the inclusion of ICr.37D.1 a
- 82 the omission of any provision giving residents/entities not identifiable as Maori the right to develop property in the nature of papakainga
- 83 The omission (at least from the electronic copy of the proposal) of any zoning for 269 to 309 Wakefield Quay: see extract below being screen shot on 30 October



I SUPPORT the general theory of increased residential use in the Inner City and City Fringe areas

MY FIFTH SUBMISSION (if my opposition to the whole of the proposal is not successful) is **I OPPOSE** the retention of most or all of The Wood (generally north east of the Maitai River) as Residential Comprehensive: basically with height, yards and other amenity provisions remaining generally as they are at present

UPON THE GROUNDS/REASONS that as this proposal is said to be the most dramatic/ extensive in a generation,

- this Plan Change should encompass all the residential portion of the city and not exclude from consideration the substantial area generally to the north of the Maitai River but south of the Wakapuaka Cemetery; and
- that area (north of the Maitai) had earlier been confirmed by Council as appropriate for greater (or equal) intensification as the area now proposed to be zoned HDZ
- if risk of inundation is as great as suggested, then the proposal should deal constructively with it, and not allow the existing scenario to continue

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

- A i my neighbour to the immediate west would be entitled (as of right) to build to 12 metres one metre in from our boundary and (as a consequence of the adjoining property being approximately 2 to 3 metres higher at the boundary than my side yard) I could find what is effectively a building 14 metres high on my western boundary; thereby blocking sunlight and daylight from my property; and severely restricting my view
- A ii my neighbour to the north west would be entitled (as of right) to build to 12 metres near the boundary and 19.5 metres further from the boundary: thereby blocking sunlight and daylight from my property; and severely restricting my view
- A iii my neighbour to the north could build (as of right) to a height of 12 metres immediately to my north: thereby blocking sunlight and daylight from my property
- A iv my neighbour generally to the east would be entitled as of right) to build to 12 metres and 19.5 metres generally to the south-east of my property: thereby detrimentally affecting the view and ambience of my property
- A v if any of those four neighbours built apartments (with or without providing parking), the existing traffic problems in Examiner Street caused (or contributed to)
 - by cars dropping/uplifting Nelson College for Girls ("NCG") students 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 effectively have a *sinking lid* in respect of parking in the CBD and near the CBDwould be aggravated
- A vi if any of those four neighbours built apartments, the value of the property occupied by me would fall substantially.

AND

- B i if implemented, the amenity effect (especially as to restriction of sunlight and daylight) to a large proportion of the residential areas of central Nelson, will be substantially negative;
- B ii the possible building of several 6 storey blocks of residential apartments in the HDZ will change (to the detriment of all residents) the character of Nelson
- B iii if intensification is necessary: it can be achieved by encouraging developers
 - to build apartment blocks in the Inner City Zone "*as of right*"; and without the extensive requirements to comply with the then current thinking (as to design etc) of Council's planners; and/or
 - to build two storey houses on allotments as small as 200 square metres in any Residential zone; and/or
 - to build several "small" units in several buildings on one allotment: but meeting a maximum height of 10 metres
- B iv residents in residential zones should be able to ascertain from the Planning Documents if there is "*ancestral land*" (or other land) in the neighbourhood – that



could be used in future for papakainga. Noting the current lengthy litigation relating to the Nelson Tenth, this is particularly relevant

- B v residential zones are in general not appropriate for commercial uses ancillary to papakainga
- B vi requiring Resource Consent for every Inner City development means that the developer is thereafter at the mercy of the Council Planners as to “*design*” aspects, and originality may be stifled. The Rules should stipulate clearly what is permitted as to the component parts of a building – not style: which is subjective
- B vii a view along Trafalgar Street – whether north from the top of Church Steps; or south towards Church Steps and the Cathedral tower – is part of - and contributes to, the *character* of Nelson, and should not be dispensed with simply because Council has in recent years allowed the Trafalgar Street trees to grow to substantial proportions and in a manner that causes distress to business owners. “Life being life” I suspect that within a very few years Council will decide that there should be heavy pruning of all the Trafalgar Street trees and/or the removal of some of them

AND

- C i building to a height of 24 metres (without recession angles) in the Inner City Fringe will unduly shade and restrict sunlight to nearby properties zoned residential and occupied for residential purposes
- C ii building to a height of 24 metres (without recession planes similar to NRMP) in the Inner City will cause undue shading to the shopping streets in the Inner City

AND

- D i the references (in the proposal and Section 32 Report) to the FDS are misleading, and can be seen to have been intentionally misleading.

The Report of the FDS was adopted by the Council in September 2022 but such Report included

- “11 notes the importance of neighbourhood plans for the successful implementation of the Future Development Strategy; and
- 12 recommends that officers report back as a priority, to Nelson City Council on the options for preparing neighbourhood plans to feed into the Nelson Housing Plan Change process; and
- 13 recommends to Nelson City Council that it provides additional resources to enable the neighbourhood plans to be completed”

City Councillors spoke against those recommendations being included; but the Strategy was adopted by Council – with 4 Councillors (including one of the proposed Commissioners) recording their vote against such adoption

That recommendation has never been revoked (or similar) by any Resolution of Council

Further; there has been no decision/resolution by Council (“*in committee*” or in “*open*” meeting) authorising Council staff to prepare a draft Plan Change which included any suggestion of permitting (as of right) buildings of 6 storeys in any residential area.

In other words; Council moved from a maximum of 3 storeys in residential areas in 2021/2022 to 6 storeys on 10 August 2023 with no “governance” decision whatsoever.

From information provided by Council in the last week it appears that any authority given to staff (to progress to the 6 storey scenario) was given informally through 2



"workshops" (in late 2022) in respect of which there were no Minutes, no video recording, and no resolution or other written decision – all in breach of the Ombudsman's rulings in respect of *"workshops"*.

Also in the last week (in answer to a website Question) Council says that *"neighbourhood planning can happen at the same time, or after, land is zoned for intensification"*. That might be the view of Council Officers, but is completely unacceptable to those residents (like me) who could face a 19.5m high building being built next door *"as of right"* prior to any such *"neighbourhood planning"*

- D ii Council has refused (or at least failed) to engage in community consultation as required as *"best practice"* on Plan Changes or Plan Reviews – and as has been commenced by Tasman District Council: the other principal party to the FDS
- D iii Council refused to comply with my written LGOIMA request for copies of the draft(s) of the proposal in the form provided on statutory consultation between December 2022 and February 2023: and only provided it after threats to go to the Ombudsman;
- D iv Council has *"rushed"* through the proposal in a manner not in accord with best practice.

I accept that one reason might be that the former Chief Executive's KPIs included an Indicator that a *"quality draft Nelson Plan"* would be provided to *"the general public for comment and feedback by June 2021"*: which it was not

- D v Council has refused to comply with my written LGOIMA request to provide to me the briefs given to Barker & Associates Limited and Mr Wallace, Ms Fairgray-McLean, Natalie Hampson & M.E. Consulting; Ann McEwan and Heritage Consulting Service; and the writer(s) of Appendix 1A and 1B of the Section 32 Report: which had all been sought in writing
- D vi the Section 32 Report is defective in that it omits any detailed and objective comment

- as to the prospective financial loss in value that properties in the HDZ will suffer if/when a six storey apartment block (possibly with no on-site parking provision) is built (as of right – with no opportunity for neighbourhood input) 1 metre from the boundary;
- as to the loss of amenity (and future traffic hazard) to the area in the general vicinity of such a building: caused by vehicular traffic trying to find carparks
- as to the negative visual and amenity effects on neighbouring and neighbourhood properties of permitted height of 19.5 metres, and recession plane only commencing at 12 metres, and being at 60 degrees;
- as to the effect (on the proposed PC 29) of recent decisions by the Council to effectively impose a *"sinking lid"* on the provision of on-street or specified areas of carparking; and to remove on-street carparks for additional bus-stops and for other installations

- D vii (from past experience) I have little or no confidence that Council Planners would decide that the effect of any proposed non-compliance with the proposed new rules, was not *"less than minor"*; and as a result, would decide that no notification of the proposed non-compliance would be given.
- D viii the proposal's premise that non-compliance with (or proposed breach of) the multitude of amenity conditions could be dealt with (and approved) by Council on a *"restricted discretionary"* basis, is unacceptable as (as stated already) the basic



premise that 19.5 metres is appropriate (in the HDZ) would already be written into the Plan.

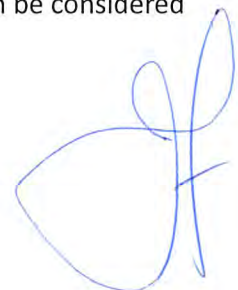
At the Hearing I will be referring to examples where (under the current Plan) Council was prepared to approve Resource Consents on a non-notified basis even though to an average citizen the extent of non-compliance – and effect on neighbours - was substantial.

Also, Rules such as REr19 K and REr 19 J specifically provide that any breach of height and daylight rules (e.g. higher than 19.5 metres, or a blank wall at the boundary higher than 12 metres, or a recession plane at greater than 60 degrees) would be dealt with as *restricted discretionary*; and the interests of a neighbour is only fourth out of the five factors to be considered

- D ix the proposal would give great (and increased) power to salaried Council employees to dictate design on buildings in the Inner City Zone: and that will stifle originality, and add to costs of any project;
- D x that the data apparently used by Council to substantiate its suggestion that population will increase dramatically is factually wrong, and takes no cognisance of Section 4 Housing & Business Capacity Assessment Report; and reads more into the FDS than was stated therein – and it is to be noted that it said that the “*heights and locations are indicative only*”
- D xi Council has failed (and refused) to rely on populations numbers as published by Statistics New Zealand and/or other reputable sources
- D xii that the basic premise for the proposal (i.e that Nelson population is increasing and likely to increase to the extent detailed in the proposal and its supporting papers) is false, and the demography supporting such premise is wrong; and was known by Council Officers to be wrong at the date of Notification (10 August 2023)

I SEEK the following decision(s) from the local authority the Nelson City Council

- 1 that no portion of the proposal be approved;
and if unsuccessful in that
- 2
 - i that the HDZ portion of the proposal be deleted entirely; and
 - ii that what was shown as HDZ in the proposal be changed to MDZ; and
 - iii that what was shown as MDZ in the proposal be changed to GDZ; and
 - iv that there be wholesale re-drafting of Objectives and Policies to reflect the said changes and the rationale for themand if unsuccessful in 2
- 3 that amendments be made in Chapter 7 to reflect my opposition detailed in my Third Further Submission above
- 4 that amendments be made in Chapter 8 to reflect my opposition detailed in my Fourth Further Submission above
- 5 the height limit in REr.19J being set at 11 metres: and any sought extension to a greater height to be considered as “Non-Complying”
- 6 the inclusion in the proposal of Recession Planes (for side and rear boundaries of all properties proposed to be in the HDZ and MDZ) to commence at not higher than 4 metres; and to be no greater than 50% angle; and any sought extension be considered as “Non-Complying”
- 7 Rear and Side Yard Setback of not less than 1.5 metres; and



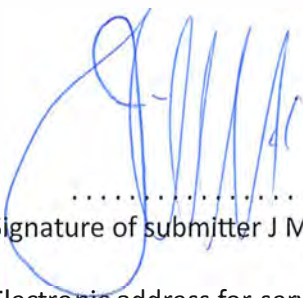
- 8 the amendment of part proposal (REr 19B.3) to have development of more than 3 Units on a site as "*Restricted Discretionary*"; and instead have them *Restricted Discretionary* (if such terminology survives the Plan Change) up to 8 Units, but to have anything over 8 Units as "Non-Complying"
 - 9 an 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 or GDZ; any failure to comply strictly with all other conditions set out in the proposal will mean that the application is to be considered as "Non-Complying". NB I seek that the amendment be made with wording that does not contradict the legislation proscribing requiring car parking to be provided;
 - 10 the deletion of any requirement for commercial use of the ground floor in any new building in the Inner City Commercial;
 - 11 deletion of all portions of the Plan Change that supported/promoted recession planes commencing at higher than 4 metres, and side yards of less than 1.5 metres
 - 12 the deletion of 24 metres in Rule ICr.37A.1 and the substitution of 20 metres for it
 - 13 deletion of Rule RE.19M (20% glazing to the street) and similar Rules where-ever they appear
 - 14 an amendment to provide that breach of the 8 metres rule for development adjacent to a Heritage Precinct or Building be Non-Complying
 - 15 an amendment/extension of the Rules to effectively prevent allotments adjacent to a Heritage precinct/Heritage building being subdivided in an artificial manner in an attempt to ensure that the larger allotment is not "adjacent" to a Heritage precinct or Building, and therefore able to be built to a height of 19.5 metres
 - 16 (if the scenario is not covered already in the Plan Change)
an amendment to provide for the situation of properties fronting Synagogue Lane (and other "historic" Lanes such as Harper Lane and Oldham Lane): to make clear that the 12 feet wide Synagogue Lane is not to be considered as a "road" to which the various properties have individual frontages under the proposal; or
an amendment to provide that the Rules for whatever Zone Synagogue Lane (and similar sub-standard accesses within the Zone) is in, be amended to provide that the height of any building on such property be no higher than the lower of 8 metres and twice the width of the access
 - 17 removing from the proposal the premise that breaches of the standards set out will be treated as *Restricted Discretionary* with no requirement to notify neighbours or other affected persons
 - 18 such changes as may be appropriate to cover the aspects of Opposition raised under 29 to 83 above
- together with appropriate amendments/additions to the Objectives and Policies to reflect the above sought changes

I WISH to be heard in support of my Submissions

IF OTHERS make similar submissions I will consider presenting a joint case with them at the hearing

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





.....
Signature of submitter J M Fitchett

Date 30 October 2023

Electronic address for service of submitter: fitchett.family@xtra.co.nz

Telephone

Postal Address

Contact person

John Fitchett

ANNEXURE

I BRING THE FOLLOWING TO COUNCIL'S ATTENTION (as part of my Submission):

- 1 **I Request** that Council appoints an independent Panel (i.e. not including any present Councillor) to hear the Submissions.
The Deputy Mayor and Councillor Brand should have disqualified themselves from voting on the formal Notification (of 10 August), and have already showed *pre-determination* in respect of the proposal.
The Deputy Mayor has been reported in Nelson Mail as saying that the proposal is "*just testing the idea*" - which shows he misunderstands the statutory relevance of the proposal
- 2 **I do not accept** as true many of the statements made by the Mayor and Councillors in support of the Plan Change. Some of such statements are
 - citizens do not need to worry as it will take several decades for many of the possible developments to be built and that it is estimated that it would take 30 years for 15% intensification to be achieved:
without recognising that individual ratepayers/residents will be detrimentally affected immediately after adoption of the proposal
 - that completed Nelson apartment developments (Bett, Oceanview, Malthouse and on Ajax Ave being cited) clearly "*enhance the city*":
without acknowledging that none of those reach a height anywhere near 19.5 metres, nor have 6 floors; nor were erected in an area zoned Residential
 - that Nelson's population will increase by nearly 12,000 (6,470 households) by 2051:
even though such figures are open to serious dispute
 - by implying (and even saying) that the HDZ is mandated by central government:
even though Nelson is Tier 2 and there has not been any government directive to impose restrictions/provisions similar to the HDZ Rules
 - that Council will work with developers to sequence preferred locations for growth:
i.e. an implied acknowledgement that the installed infrastructure is currently insufficient to cater for the planned intensification, and that Council would have little control over where/when development took place
- 3 **I criticise** as intentionally misleading many statements made in public by Council employees implying that most residents' sunlight is protected; and arguing that there is little or nothing to fear from the Proposal.
As an example I refer to the final page of this Submission: that shows two examples of the way Council Officers seem to have approached the Proposal. i.e there is nothing for residents in HDZ to fear – as the rules will protect you. (For clarity, I use the

expression “two examples” because, although they relate to the same property, Council Officers acted in the same manner to both email enquiry and enquiry through Letter to the Editor)

That property at 195 Rutherford Street is (in my opinion) a “*classic case*” as to what might happen the day after the proposal is fully approved. The result of the erection of two buildings at 195 (as described in the email), would be catastrophic for the owners/operators of the motels at 197 Rutherford Street – but Council Officers try to brush away any concerns; and imply that any such loss is required for the greater good of meeting a demand (unproven) for accommodation.

I also criticise the way in which Council has operated its website in relation to the Proposal.

- 3 **I have tried unsuccessfully** to find Ministry of Environment’s publications as to HDZ but find that MDZ is the greatest intensity shown on its website
- 4 **I criticise** as misleading the answer given on the Council website to the Question “*what will intensification look like in Nelson*”; where the answer and diagrams make no reference to buildings of 6 storeys being erected on the neighbouring allotment “*as of right*”
- 5 **I am concerned** that Council refused to provide hard copies of the proposed PC 29. Instead it charges over \$750 for a hard copy that does not even include the Appendices to the Section 32 Report.
- 6 **I acknowledge** that I have found it difficult to digest the total effect of the proposed PC 29 and its supporting documentation of over 2,000 pages, and I hope that better qualified citizens will make more comprehensive Submissions covering my concerns as to ongoing protection of existing views and access to sunlight: for all residential occupiers; and the absence of parking encouragement.

Example of a property which would lose most “amenities” – and value – if the proposal proceeded: and which has an empty allotment to its immediate north – which is ripe for re-development

197 Rutherford Street – what *amenities* would that have if 2 substantial buildings were built (to the maximum permitted height) “as of right” on the vacant property to the north ?



EMAIL OF 3 SEPTEMBER TO ENVIRONMENTAL PLANNING OF NCC

1 195 Rutherford Street

Below is a screen-shot of a vacant allotment at 195 Rutherford Street - zoned HDZ. It is immediately to the north of Century Lodge Motels - developed so that its units face the north

Would you please give a "yes/no" answer to the following question

"If the Plan Change be completed in it's present form, will the owner of the vacant allotment at 195 Rutherford Street be entitled as of right (with no NCC or neighbours input) to erect a building which is in the nature of a "block" which

- *has a 1.5 m front yard*
 - *is 22 metres long (running along the southern boundary)*
 - *is 1 m inside its boundary; and*
 - *has a wall 12 metres high*
 - *with another 7.5 m of height designed to comply with the 60 degree recession Rule*
- and a second building*
- *4.1 metres to the east of the first building; and*
 - *1 metre side yard to the boundary; and*
 - *the second building being 15 metres long; and*
 - *being just 4 metres high - with a vertical wall to that height on the south side;*
- and both buildings complying strictly with all other Rules of the proposed Plan Change "*



If the answer is "no", please advise what Rules mean that those buildings can not be built "as of right": and would be the subject of an element of discretion on the Council's behalf

The written answer I eventually got completely disregarded the inclusion of the words *"and both buildings complied strictly with all the other Rules of the proposed Plan Change"*; and went on at great length to comment on the *"other rules"*. Subsequently, after further written enquiry, Council Officers accepted that the answer was "yes".

Precisely the same occurred when I wrote a Letter to Editor of Nelson Mail in effect asking the same *"simple question"*, and asking for a *"simple answer"*. However the Council Officer initially answered *"maybe"*; and only much later in the written response acknowledged that the answer was "yes".

Submission Form for Nelson City Council Plan Change 29

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

Submitter:

Allan Lindsay Barber

E: lindsaycheril@gmail.com

16/10/2023

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

I **OPPOSE** The plan change and in particular the following:

1. The creation of a High Density Residential Zone (HDZ) that has a max height greater than 12m, as it is not mandated under NPS-UD 2020, **especially** in the suburbs outside of the central city of Nelson.
2. The loss of existing protection for sunlight to **ALL** properties, because it is a critical component of residential amenity in residential areas, providing warmth, energy efficiency and the ability to grow fruit and vegetables.
3. The omission of any requirement to create car parks in any new development.

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

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

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

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

Other concerns I have about Plan Change 29:

I understand why cities in Europe require multi-story residential dwellings as there are tens of millions of people requiring accommodation in their cities. We are in a very different situation in New Zealand. With just five million people (a population the size of Melbourne), the citizens of our towns and small cities currently enjoy a lifestyle relatively free of objectionable multi-storied buildings that shade streets and other smaller residential buildings. I am also concerned that by allowing Plan

Change 29 to proceed, the character of our city will be compromised. A mismatch of multi-story buildings can only detract from the aesthetic values that Nelson residents enjoy.

Building and property design and style obviously change with time; properties have become smaller over the past 25 years and the "NZ quarter acre dream" is no longer an option for most. This natural housing pathway towards smaller section sizes is, in my view, an acceptable form of intensification. However, this Plan Change is so radical and I believe completely unnecessary for a city with just 54,000 residents.

Another issue I have is that we are in a seismic-prone part of the country with the Flaxmore, Waimea and Bishopdale fault lines running through the NCC zone. A large earthquake could potentially cause damage to large multi-story buildings that may have withstood the quake, but need to be demolished because of overall structural weakness (as happened to the Chancellor building in Christchurch). You cannot guarantee that a new building that is 100% NBS today will be safe and only lightly damaged in the event of a shallow earthquake of magnitude eight or higher on the Richter scale. Geologists warn that we are overdue for such a quake.

Some other suggestions to help provide more housing within Nelson:

You do not need to intensify housing in Nelson. Retro-fitting single-story areas of Nelson with high rise buildings is simply wrong. This Plan Change is unlikely to affect me personally, but my strongly held belief is that Nelson residents in areas where multi story buildings could be erected next to the property they purchased in good faith will have been unfairly victimised by the Nelson City Council.

Other options include:

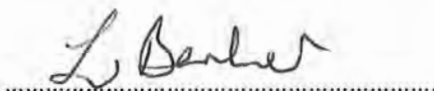
Allowing this Plan Change to apply only to new sub divisions. That way, anyone buying within the new subdivision will know what to expect in terms of allowable building types.

Tighten the zoning to CBD areas where multi -story buildings are already present.

Building another community outside of Nelson city – like Pegasus in north Canterbury.

Please be aware that there are many Nelson residents that feel very strongly about this issue and should your decision be to run with the Plan Change as currently proposed, you can expect there to be many angry residents disillusioned with the Council and Council processes. My advice is for you to go back to the drawing board and present something to Nelson residents that is more acceptable.

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



Submitter

24th October 2023

Date

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: 5734

Date Received Stamp:

31/10/23

NDOCs No:

539570224-17773

*Required

Submitter Details

Full Name*	HUGH BIBB GRIFFIN		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	griffinhugh535@gmail.com

Trade Competition*

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

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

Council Hearing*

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

Public information

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

Signature of Submitter*

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

Date*

30.10.2023.

RMA Submission Form for Publicly Notified Plan Change 29

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

- | | |
|---|--|
| ☒ 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)

That PC 29 is not a suitable solution to the future population growth of a city that is the size and character of Nelson.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

I would ask for Council to withdraw PC 29 and appoint a suitably qualified group to consult on and prepare an intensification plan change that is more suited to a provincial city of Nelson's size, character and aspirations.

I suggest it would be an advantage to have a consensual plan change. To achieve this more regard would need to be given to a more tailored intensification plan that would respond more sympathetically to the unique character and topography of the city.

Public consultation should be an integral part of the development of any new intensification plan change.

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: **Ulf and Eva Kerer**

Address:

Email: **ulfkerer@hotmail.com**

Signature of Submitter:



Date: **29th 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 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.
- c) 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.

Our Submission concerns primarily the area proposed to be zoned as Residential Medium Density (RMD), centred on Mount St, Konini St, Locking St and Wellington Streets, between Kerr St in the north, Wellington St and Renwick Place to the east, Locking Tce and the walkway to Vanguard St to the south, and extending at several points to Vanguard St in the west. For convenience we will refer to this area as the Mount St Hill.

2) Traffic concerns

a. **Increased Congestion:** High-intensification plans attract more residents and, consequently, more vehicles to the neighborhood. This will lead to a significant increase in traffic congestion on the streets, making it challenging for residents to commute, access their homes, and navigate the area. The roads in this neighbourhood are too narrow to cope with any more traffic.

b. **Strain on Infrastructure:** Existing streets are not designed to handle the surge in vehicular traffic. This will result in wear and tear on the road infrastructure, increased maintenance costs, and potential safety hazards due to crowded streets.

c. **Parking Issues:** The influx of new residents will strain available parking options. It will become increasingly difficult for existing homeowners to find parking spaces near their homes, leading to frustration and inconvenience. Moreover, inadequate parking solutions can result in on-street parking, which may obstruct traffic flow and further exacerbate congestion. That new high-intensification housing does not require the developer to build adequate parking is beyond belief.

d. **Safety Concerns:** Increased traffic congestion will also raise safety concerns, especially if the neighborhood has a high number of pedestrians, including children and the elderly. Narrow streets and crowded intersections will become more accident-prone, posing risks to both residents and visitors.

In summary, overcrowding and traffic concerns are issues that can negatively impact the quality of life in a neighborhood. As such, these concerns should be carefully considered when evaluating the potential consequences of a high-intensification plan, particularly in areas primarily consisting of single-level one-family houses. Mitigating these issues is essential to maintaining the safety and well-being of the community and ensuring that the neighborhood remains a desirable place to live.

3) Infrastructure Strain:

a. **Aging Infrastructure:** In many neighborhoods with predominantly single-level one-family houses, the existing infrastructure, such as water supply, sewage systems, and electrical grids, is designed to accommodate a lower population density. Introducing high-intensity development without concurrent infrastructure upgrades will place significant strain on these systems.

b. **Service Disruptions:** An inadequately upgraded infrastructure will lead to service disruptions and outages, affecting not only the new developments but also the existing residents.

c. **Cost Burden:** The cost of infrastructure upgrades to support high-intensity development is borne by local governments or existing residents through increased rates or fees. This will create financial burdens for those who may not have directly benefited from the development.

Environmental Concerns:

a. **Green Space Reduction:** High-intensification plans may require the removal of green spaces and trees to accommodate new construction. This reduction in greenery can have several adverse environmental effects, including:

- Increased urban heat island effect, which raises temperatures in the neighborhood.
- Diminished air quality due to fewer trees to absorb pollutants and provide oxygen.
- Loss of habitat for local wildlife, potentially disrupting the ecosystem.

b. **Loss of Heritage and Character:** In some cases, intensification may lead to the demolition of historic or culturally significant properties, erasing the neighborhood's heritage and character, which has its own environmental and cultural implications.

In summary, inadequate consideration of infrastructure and environmental factors can result in negative consequences for both the community and the natural environment. To address these concerns effectively, any high-intensification plan should incorporate sustainable practices, infrastructure improvements, and responsible development strategies to minimize adverse impacts on the neighborhood and the environment.

4) 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.

5) Urban Planning

I also want to emphasize the critical importance of proactively planning urban development rather than leaving it solely to private developers to build as they see fit. Comprehensive, community-focused planning is essential to ensure the long-term well-being, sustainability, and the harmonious growth of our neighborhoods and cities.

The Role of Comprehensive Urban Planning:

1. **Balanced and Inclusive Growth:** Urban development planning allows for a balanced and inclusive approach to growth, which takes into account the diverse needs and aspirations of the community. Without proper planning, private developers may prioritize profit over the broader social and environmental interests of the area.
2. **Preservation of Community Character:** A well-thought-out development plan takes into consideration the unique character, heritage, and identity of a community. Private developers, driven by their bottom line, may not prioritize these essential elements, potentially leading to the erasure of historical and cultural significance.
3. **Infrastructure and Public Services:** Proper planning ensures that infrastructure and public services, such as transportation, utilities, schools, healthcare facilities, and green spaces, are developed in tandem with new developments. This approach prevents overburdening existing resources and infrastructure, as developers may not always invest adequately in such essential elements.

Environmental Sustainability:

4. **Environmental Protection:** Effective urban development planning can incorporate environmentally sustainable practices. It allows for green and energy-efficient design, responsible stormwater management, and the preservation of natural habitats. Private developers may prioritize quick returns over environmental concerns, leading to the depletion of green spaces and increased pollution.
5. **Mitigating Urban Sprawl:** Comprehensive planning can help curb urban sprawl by concentrating development in areas that can support it effectively.

Community Involvement:

6. **Transparency and Community Input:** Urban development planning processes are typically more transparent and inclusive. They provide residents with opportunities to voice their concerns, ideas, and preferences. Private developers might not engage the community as comprehensively, potentially causing a lack of trust and understanding between developers and residents.

Economic and Social Equity:

7. **Affordable Housing:** A comprehensive plan can incorporate affordable housing initiatives and address housing inequality, ensuring that the development benefits a wide range of socioeconomic groups. Private developers might primarily target higher-income markets, neglecting the need for affordable housing.
8. **Job Creation:** Well-planned development can lead to the creation of jobs and economic opportunities for the local community. It can stimulate economic growth and

entrepreneurship. Without planning, private developments may not prioritize these local economic interests.

Long-Term Vision:

9. **Sustainable Long-Term Vision:** Urban development planning takes into account long-term sustainability and resilience. It considers factors like climate change adaptation, disaster preparedness, and future growth scenarios. Private developers might focus on short-term gains without adequately addressing these critical long-term concerns.

In conclusion, it is imperative that we recognize the necessity of comprehensive urban development planning. This approach helps us build vibrant, sustainable, and harmonious communities that preserve our heritage and cultural identity, protect our environment, and promote equitable economic growth. While private development has its role, it should be guided by well-conceived and community-oriented plans to ensure that the best interests of our cities and neighborhoods are safeguarded.

I urge our community and local authorities to invest in comprehensive urban planning to create a brighter, more sustainable future for all of us.

6) 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.
- 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.

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.
- 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.
- c) 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.

8) 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.

9) Social Housing

- a) Significant care and attention must be considered with all social housing because there are too many examples across the country where this has resulted in disharmony in communities.
- b) High density living for the homeless and vulnerable will not result in healthy outcomes for all concerned.
- c) Careful design controls from the concept stage onwards, will be rewarded in the long run, with less support required by Mental Health Services, Charity Services, Police and Social Services.
 - i) I would like to see Council working closely with 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.

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: 5736
Date Received Stamp: 31/10/23
NDOCs No: 539570224-17781

*Required

Submitter Details

Full Name*	DAVID RYAN		
Organisation			
Contact Person			
Postal address*			
Telephone*	Email*	srldryan@gmail.com	

Trade Competition*

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

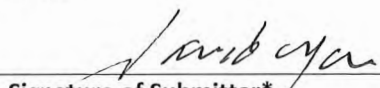
- ☒ I/we could not gain an advantage in trade competition through this submission.
- ☐ I/we could gain an advantage in trade competition through this submission. *if yes, please complete the following:*
- ☐ I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely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

Council Hearing*

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

Public information

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


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

30/10/2023
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)

*That the Council should reject
Plan Change 29 in its entirety*

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 Council should reject the
Plan Change 29 outright.

They should start again and adopt
a plan that is appropriate for
such a small country town like
Nelson. and not reflect the values
of larger NZ cities.

The council should resolve to
establish a combined Nelson/Tasman
Urban Development Agency with serious
urban planners involved

Note:

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

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 30/10/23
Sub No: 3137
NDXCS: 534510224

17783

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Full Name: Mark Christieson Address: [REDACTED] Telephone: [REDACTED] Email: mschristieson@gmail.com
--	---

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

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

1. rear and Side Yard Setback of not less than 1.5 metres
2. an amendment to ensure that at least one car park is provided for each residential Unit in the areas presently proposed to be re zoned
3. That Council will prioritise Housing growth and intensification within the Inner City, before the current residential zones;

I REQUEST that Council appoints an independent Panel to hear the Submissions; and gives a further Notice extending the Closing Date for Submissions

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

Other comments or concerns I have about Plan Change 29

Who will pay for additional heating when you remove my
Passive solar heating for my home

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

grow more higher Density Villages out in the
Country on less productive land with better
transport options to the cities

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

Mark Christieson

Submitter

30-10-23

Date

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

Tuesday 19th September

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: Sali Suzanne Eady Matthews

Address:

Telephone:

Email: sali.matthews@outlook.com

Signature of Submitter:

Date:

Delete as applicable: -

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

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

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

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

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

2) Hearing Panel

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

3) NCC's Population forecasts

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

4) Design Lead and Not Developer Lead Growth.

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

5) Heritage Residential Housing Nelson has a high proportion of heritage and character buildings, clusters of which merit further investigation for precinct listing and specific rules and policies e.g. height controls on adjacent buildings.

- a) Many of Nelson's heritage and character buildings contribute to Nelson's point of difference. Visitors and residents are drawn to the built character of Nelson. Nelson has a high proportion of old buildings both commercial and residential that are well maintained by their owners.
- b) PC29 facilitates the loss of the non-renewable heritage resources with economic, social and environmental consequences to Nelson. A significant number of listed heritage properties, the Inner City Heritage Precinct and the Wakefield Quay Heritage Precinct are deleted from the current register in the Nelson Resource Management Plan as part of PC29.
- c) PC29 does not include all Heritage New Zealand (HNZ) listed, it is not in alignment with Te Ara Whakatū, Council's Spatial Plan, nor does the Plan does reference Māori and archaeological heritage.
- d) There should be an independent updated assessment of Nelson's heritage resources by a qualified conservation architect following best industry practice.
- e) As a ratepayer and resident of the Nelson South area, I believe there should be a reassessment of the Fairfield/Nelson South area as a character precinct with additional protections. If an independent assessment concludes that other heritage precincts should be established revise PC29 to include policies and rules to do so, including height controls in adjacent buildings to enable Heritage buildings / communities to be maintained and appreciated by the community.

6) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a **CRITICAL** part of living in Nelson and **ESSENTIAL** to the health and wellbeing of everyone in Nelson, there has been much research on the effects of sunlight and the lack of it in the mental wellbeing of people. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.
- b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>
- c) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -
 - i) Increased levels of mental health illness, anxiety and stress.
 - ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
 - iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
 - iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing is old, with un-insulated walls and single glazing and open fires were legislated out of use many years ago.

- v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
 - vi) Residents, struggling with the cost-of-living crisis may not afford to heat their home.
 - vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units that **COULD** be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.
- (1) I **URGE** 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.

7) 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'.

8) Intensification

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

9) Progressively Phased Intensification

- a) Firstly, Inner City should be the starting place to have the most significant intensification, before forcing it onto the residential neighbourhoods, this can give more time to complete a better design vision for our residential neighbourhoods.
 - i) I ask Council to make better utilization of Car Only spaces, by developing them into shared spaces, with Accommodation overhead. 'Nelsust' highlights 44% of the Inner City as Car only spaces.
 - ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences'.
- b) Secondly, City Fringe would be the next zone to phase in for intensification.
 - i) I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land that can be better used for accommodation.
- c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
 - i) I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) **if required and over time**, providing AP15 Daylight Admission Protection rules remain in force for existing properties and provided that it is developed under any Urban Development Plan which has been developed following appropriate consultation with the community.
 - ii) Pending such progressive expansion all residential areas (beyond the CBD) should have the same rules of maximum building height of 8.5m, with an absolute height of 11m if resource consent is applied for and AP15 Daylight Admission Protection rules remain in force.

10) 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.

11) 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.
- b) As a resident of Hampden Street, living opposite Nelson College and above Hampden Street School, I live in fear that a child is going to be injured, especially in the Melee that occurs around 3pm. As the streets are narrow, particularly Ngatiama St, with cars parked on both sides, the place becomes grid locked. School buses are barely able to negotiate the roads, people in vehicles become impatient and children weave in and out of the chaos. If there is an emergency, delays may be life / property threatening. By allowing additional houses, with little or no off street parking, the situation will become incredibly dangerous for children and slow emergency services more. It completely goes against the council policy of getting children to walk to school safely; it is simply unsafe. As a resident the chaos is incredibly frustrating, and to add more residents and vehicles without consultation and planning will most definitely create neighbourhood tensions.

12) 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.

13) 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.

Additional comments:

As a ratepayer and a long-term resident of Nelson, I feel very stressed and upset that our elected officials have presented such a huge plan change, with minimal consultation and requiring such a short period to consider and provide submissions. It is deeply upsetting, especially considering all else going on in our families, community, New Zealand and the world, which we have to deal with.

Nelson is very liveable and full of vitality, this is partially due to new residents bringing their ideas, culture and personalities to Nelson. It is important to cater for this population increase while retaining the character of Nelson. To simply use a blunt tool and broad-brush approach to urban development will destroy the inherent character of Nelson.

Nelson is an amazing city. However, it appears that the Council has not implemented a carefully thought-out strategy for necessary future development to keep it an amazing city. I welcome further development, and population growth – however careful planning is required to keep the Vibe and feel of Nelson.

Urban development needs to be managed carefully. Plan 29 does not do this. Nelson does not need buildings with 6 stories to cater for population growth, it needs a carefully planned strategy.

I have read and agree with the submission from NelsonTasman2050, and their proposal for a joint Nelson-Tasman Urban Development agency.

My Ultimate concern is that the Council seems to consider that sunlight in houses is an unnecessary luxury in the growth of Nelson. I vehemently disagree with this concept, as do most people in Nelson. Sunshine is critical to mental, physical and emotional health. It is clearly noted in the Housing Demand Preferences report commissioned by Nelson Tasman that “sunny” was ranked as the number one preference of housing in Nelson. With “adequate garaging and off-street parking” being ranked 6th. I find it hard to understand why the Council has ignored Nelsons preferences in this PC 29.

Thank you for your consideration and the opportunity to submit.

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: 5739

Date Received Stamp:

31/10/23

NDOCs No:

539570224-1795

*Required

Submitter Details

Full Name*	Jo Kinross
Organisation	
Contact Person	
Postal address*	
Telephone*	
Email*	jokin@xtra.co.nz

Trade Competition*

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

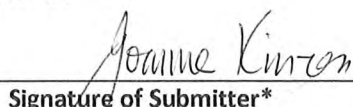
- ☒ I/we could not gain an advantage in trade competition through this submission.
- ☐ I/we could gain an advantage in trade competition through this submission. *if yes, please complete the following:*
- ☐ I/we are directly affected by an effect of the subject matter of this submission that: (a) adversely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

Council Hearing*

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

Public information

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


Signature of Submitter*

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

30/10/2023
Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

- | | | |
|--------|---|---|
| I/we*: | ☐ Oppose the Plan Change in part | ☒ 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)

That Council reject Plan Change 29 in its totality.

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).

That Council reject Plan Change 29 outright and start again with a new plan which reflects the special character of Nelson. A plan that is appropriate for a small coastal town, not a major city.

That Council resolve to establish a combined Nelson-Tasman Urban Development Agency as outlined by Nelson Tasman QOSD's document, which is attached.

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: Nelson City Council

Civic House
110 Trafalgar Street
PO Box 645
Nelson, 7040

Re: Nelson-Tasman Urban Development Agency (NT-UDA)

SUMMARY

We request Nelson City Council pass a resolution to **"investigate and report on the feasibility of developing a combined Nelson-Tasman Urban Development Agency [UDA] to actively address the housing and urban regeneration needs within our region."**

It is understood that an Urban Development Authority has previously been suggested by Council officers to the Urban Development Subcommittee in March 2021¹ as one of a range of options to actively increase the supply of affordable housing within the region, however this option was not pursued due to the perceived costs associated with establishing this agency. We urge the subcommittee to reconsider this approach and suggest exploring the possibility of utilising the **Nelson Housing Reserve** to provide part of the initial operational and seed funding for the agency.

KEY POINTS

- We propose that Nelson City Council [**NCC**] and Tasman District Council [**TDC**] establish a joint Urban Development Agency [**UDA**]
- The agency would play an active role in the region's housing and urban development market to facilitate quality intensification, establish liveable, vibrant communities and oversee the provision of more diverse and affordable housing options
- The structure of the agency would be established by a feasibility study, however we suggest that a Council Controlled Organisation [**CCO**] could be an appropriate format
- The UDA would target a self sustaining financial structure, with costs being covered by the income gained through property value uplift and land sales
- **The Nelson Housing Reserve**, established to fund affordable housing within the region, could be a suitable funding avenue to provide the initial outlay to establish the agency

¹ Nelson City Council's Urban Development Subcommittee Agenda, Tuesday 2nd March 2021

BACKGROUND

The Nelson Tasman region is facing crises on multiple fronts, including;

- The least affordable housing in New Zealand after Auckland²
- Limited housing diversity, particularly for our changing demographics
- Continued suburban sprawl, resulting in loss of productive land, an overreliance on private vehicles and a high carbon footprint
- Changes in retail and commercial office space demand, resulting in declining and underutilised commercial precincts.
- Neglected urban areas dominated by cars, leading to unsafe, unliveable cities
- Fractured communities as a result of ongoing sprawl and inappropriate infrastructure
- Limited incentive for landowners and developers to undertake quality intensification within our existing urban areas
- A lack of local examples of well designed medium density housing and mixed use development

The approach to housing and urban development currently taken by Council is a passive one. As noted in the 2020 Nelson Intensification Action Plan, *"Council currently has limited control over increasing the supply of housing"* and instead *"...provides an enabling environment that supports landowners to redevelop their land to meet demand."*³

This approach, of Councils acting in a purely regulatory capacity and leaving tangible outcomes to the market, is clearly not working. Rather than consolidating growth in our urban areas, promoting liveable cities, providing a range of housing options and reducing greenhouse gas emissions (as mandated by the NPS-UD), we see a continuation of suburban sprawl and a lack of accessible, affordable dwellings.

*"We have not been good at building complete, diverse communities that provide choices about dwelling size, tenure and typology, and which allow people and families in all life situations to have similar access to opportunity."*⁴

If our Councils are committed to the future liveability and prosperity of our region then significant steps are required to actively address these issues. Without direct intervention it is unlikely that the market will adequately provide for our housing and urban regeneration needs, as a 'business as usual' approach would simply result in the perpetuation and exacerbation of the same critical issues that we currently face.

² The Nelson Tasman Joint Monitoring Report, 2021

³ Nelson City Council Intensification Action Plan, September 2020

⁴ Cabinet paper, Hon. Phil Twyford, Minister of Housing and Urban Development, 2017

PROPOSAL

We propose the establishment of a joint **Nelson Tasman Urban Development Agency** to play an active role in the region's housing and urban development market to facilitate quality intensification, establish liveable, vibrant communities and oversee the provision of more diverse and affordable housing options.

Regional urban development agencies are a proven tool for facilitating urban regeneration and are used in other regions in Aotearoa New Zealand such as *Eke Panuku* in Auckland. UDAs vary throughout the world and there is no set blueprint for how they operate, so there is much scope for tailoring an agency to best meet the needs of our community.

We see the primary purpose of a Nelson Tasman UDA as being to unlock development potential in our urban areas that will meet Council objectives on urban renewal, housing delivery, affordable housing and economic development. This will be in coordination with private partners, iwi, community housing providers and central government agencies such as Kainga Ora where relevant. The type of activities it would undertake include:

- **Lead and coordinate precinct regeneration** – Work with all stakeholders to prepare a forecast pipeline of urban development opportunities to deliver the LTP. This pipeline will provide confidence to investors and the broader community, and will enable efficient transport and infrastructure planning and coordination of construction activities to minimise disruption (e.g. staging of any temporary parking arrangements). This pipeline should include private, UDA, and joint venture opportunities at a range of scales and urban land uses.
- **Undertake masterplanning & neighbourhood level spatial plans** – undertake preliminary technical studies and create long term aspirational visions to guide both public and private sector outcomes.
- **De-risk and prepare land for development** – complete due diligence reports, subdivisions and amalgamations, demolition, remediation and infrastructure works to prepare land for development in accordance with masterplans. Create development design briefs, procure partners and undertake other coordinating actions to deliver urban regeneration in key parts of our towns and cities.
- **Increase supply of affordable and community-focused housing** – support delivery of new medium density, mixed tenure, and affordable housing in strategic locations. Housing should be diverse with a variety of typologies, sizes and styles and tenures to suit the various needs of our communities.
- **Catalyse the market through exemplar projects** – conceptualise and lead delivery of demonstration projects to catalyse the market in support of Council objectives (eg quality mixed use development, medium density affordable housing, high quality urban design, low carbon buildings).
- **Optimise development outcomes on strategic sites** – intervene and take a leadership role in strategically important sites where the market has failed to produce positive built outcomes, such as key locations within the CBD.
- **Community development and city activation** – work with other stakeholders (e.g. NCC/ TDC, local businesses, and the community sector) to lead and support a programme of community development activities that will activate precincts, facilitate the development of new urban communities, and encourage broad participation in the renewal process.

Whilst this requires Council to be an active player in the development sector, one of the main aims of the UDA would be to facilitate stronger partnerships with the development industry so that the private market can undertake critical projects. I.e, the UDA should work to harness the abilities of the private sector rather than compete against it.

By utilising public-sector tools and finances a Nelson Tasman UDA can bridge the gap where otherwise there is market failure. Unlike profit-driven commercial developers, Councils have a mandate to take into consideration much more holistic ideas such as the fostering of communities, greenspace, neighbourhood character, the mix of housing typologies and affordability. Through taking an active role in planning and facilitating development NCC & TDC can ensure that these non-commercial considerations are accommodated in future projects. The benefits can be measured both financially (i.e. public profit) and in terms of social and economic outcomes.

The use of regional UDAs has been widely studied, and was supported by the Productivity Commission in a report which noted, among other advantages:

- *"the potential for UDAs, as the owners or regulators of the land, to attach conditions to its final use to achieve social objectives (eg, greater provision of lower-cost housing);*
- *greater scope to manage urban renewal, so that processes of change proceed in a co-ordinated manner; and*
- *an enhanced ability, as the owners of amalgamated or renewed land, to capture "some of the uplift in land value that accrues from redevelopment for community use"*⁵

It is worth noting that in the recently released Nelson Tasman Future Development Strategy 2022-2052, a very low uptake in brownfield development was allowed for (15%), leading to the provision of large amounts of greenfield land for future housing. However, as long as 'easy' greenfield development is available, the development industry will lack the incentive to undertake higher risk brownfield development. One of the key tasks of the UDA is therefore 'de-risking' the brownfield sites and providing incentives for their development.

STRUCTURE

The appropriate structure and operation of the agency would need to be determined by Council following a feasibility study, however we suggest that a Council Controlled Organisation [CCO] may be a suitable format. A CCO could provide operational efficiency, dedicated delivery and focussed leadership while still remaining accountable to residents and ratepayers. The quasi-independent structure ensures the agency remains task focussed rather than being influenced by ever changing priorities of the Council body. Additionally, due to a poor public perception of our Council's track record of project delivery, a CCO could be seen as a separate entity from Council to ensure public support for the venture.

Regardless of the structure, we suggest the UDA needs to make use of talented individuals with experience in the private development sector, design, urban planning and housing provision. Maintaining an arms length distance from Council may create the best conditions to attract the right talent for these roles.

⁵ Using Land for Housing Inquiry, New Zealand Productivity Commission, 2015

POTENTIAL FUNDING OPTIONS

Operated effectively, a successful regional UDA should be capable of operating in a self-sustaining manner, with costs being primarily covered by the income gained through property value uplift, land sales and an associated increase in rates base. However, in the initial stages operational and seed funding will be required to support its activities and build its operations to a point where it can be self-funding.

We suggest exploring the use of the **Nelson Housing Reserve** to provide part of this seed funding. This funding pool, currently with \$10m in assets, is intended to be used to support the provision of long term affordable housing within the region. By funding the establishment of an entity that is mandated to provide affordable housing, Council can ensure that the housing reserve provides a continual supply of affordable housing, rather than simply funding a few one-off projects. Further funding could come from central government (such as HUD) or from the LTP as required.

It is worth noting that NCC & TDC have access to the Local Government Funding Agency (**LGFA**) to provide the lending required to fund necessary land purchases and infrastructure investment. Plus, there is the option of partnering with central government entities such as Kainga Ora to access a much larger funding pool. This puts a UDA at a distinct advantage to commercial developers, who are typically limited to borrowing from mainstream lending institutions which can present a barrier to projects which might prioritise affordability or liveability outcomes over profitability.

Additionally, larger scale, transformative projects that may otherwise present too much of a risk for a mainstream lender can have the groundwork completed by the UDA to reduce those risk factors. By undertaking due diligence studies, strategic planning, infrastructure provision, property amalgamation and development design briefing, a UDA can then set the conditions for private industry to take over project delivery. Successful UDAs intervene strategically and can attract several dollars in private investment for every dollar spent.

*"VicUrban is a recent example of the increasing trend for [UDA] activities to be directed toward infill [brownfield] developments. In these developments, some of the projects are so complex and high risk that they are unable to attract private sector interest at least in the early stages of development. As a result, many [UDA]s work to reduce the complexity of projects (for example, by remedying issues such as fragmented land holdings) ... and 'derisk' development sites (for example, restore contaminated soil) to a level where it is feasible for private sector developers to subsequently complete projects."*⁶

⁶ Performance Benchmarking of Australian Business Regulation: Planning, Zoning and Development Assessments, Productivity Commission Research Report, April 2011

WHY A REGIONAL UDA?

In 2020 the Central Government passed the Urban Development Act which effectively made Kainga Ora [KO] into a 'national Urban Development Agency,' and vested within the entity a range of development powers, such as compulsory acquisition. Part of KO's mandate is to undertake urban redevelopment and housing supply.

However the focus for Kainga Ora & the Ministry of Housing and Urban Development [HUD] has been, understandably, on our major cities. The recently issued GPS-HUD⁷ has a map showing the parts of New Zealand that HUD and Kāinga Ora are prioritising effort and investment in and the Nelson Tasman region, despite being the second least affordable region in the country, is noticeably absent. Our smaller regional towns and cities are grappling with the same issues of housing affordability and poor quality urban spaces as the major cities. While KO has a role to play, we need local leadership that takes into account our unique needs and aspirations and is able to make an immediate, targeted impact in our community.

Additionally, KO's primary focus is on the supply of public housing, rather than holistic urban development at a regional level. A Nelson Tasman UDA could be a lot more agile and community focused, undertaking projects that are more directly aligned to our collective vision for our towns and cities. It can also take on projects which, due to scale, aspirational intent or outcome, are misaligned with KO's focus. For example developments that could be critical to the implementation of local Council's long term planning strategies might not be within the scope of KO's mandate.

Furthermore, and most importantly, it allows our community to take ownership of the future of our region. The critical projects that we must engage with to facilitate the positive outcomes we need can be undertaken as required, when required. These are local issues that we face, and we need local leadership to address them.

Instead, we suggest that the approach for a Nelson Tasman Urban Development Agency would be to selectively partner with Kainga Ora and Central Government on significant projects where appropriate to harness the various powers associated with those entities to collectively develop transformative outcomes. As noted by NCC's officers;

"While UDAs based in New Zealand do not have special development powers they are well-positioned to partner with Kāinga Ora who can facilitate larger more complex projects, or progress projects in other ways. For example, Kāinga Ora could use its compulsory acquisition powers to consolidate properties within a development precinct and the UDA could leverage the acquisitions to attract development partners. UDAs can retain a relatively high degree of control over the housing and urban outcomes within a development precinct while relying on partnerships for delivery."⁸

⁷ Government Policy Statement on Housing and Urban Development, September 2021

⁸ Nelson City Council's Urban Development Subcommittee Agenda, Tuesday 2nd March 2021

CONCLUSION

The housing and urban development crisis faced by the Nelson Tasman region is complex and multifaceted, and will take a range of policies and measures to address. Some of these, such as RMA processes, are already within Council's control. However, if the future of our region is going to have homes for all needs, that are affordable, liveable and aligned with the principles of Quality Intensification, then Council needs to adopt an active approach to housing supply.

A UDA is a proven tool in Aotearoa and overseas that our Councils could use to take the lead in addressing this critical issue, whilst also contributing to better urban environments and more liveable cities.

Accordingly, we request that NCC & TDC produce a report on the feasibility of establishing a joint Urban Development Agency and, should it be assessed as a viable option to actively increase housing supply and urban development, undertake immediate steps to implement this agency.

REFERENCES

- *ER20 The case for urban development authorities in New Zealand*, BRANZ, December 2016
- *Using Land for Housing Inquiry*, New Zealand Productivity Commission, 2015
- *Options for increasing housing supply*, Document number R22552, Nelson City Council, March 2021
- *Government Policy Statement on Housing and Urban Development*, September 2021
- *Urban Development Subcommittee Agenda*, Nelson City Council, Tuesday 2nd March 2021
- *Performance Benchmarking of Australian Business Regulation: Planning, Zoning and Development Assessments*, Australian Productivity Commission Research Report, April 2011
- *Cabinet paper*, Hon. Phil Twyford, Minister of Housing and Urban Development, 2017
- *Nelson City Council Intensification Action Plan*, September 2020
- *The Nelson Tasman Joint Monitoring Report*, 2021
- *An Urban Development Agency for Wellington City*, Wellington City Council, March 2016
- *Is it time to rethink the role of Councils in shaping our cities?* Stuff.co.nz, April 9th, 2022

ABOUT US

This is a joint submission by **NelsonTasman2050**, a multi-disciplinary collective of concerned practitioners and professionals who care about the future of our built environment in the Nelson Tasman region. We have raised public awareness by publishing articles in nationwide and local media and contributed to this submission as individual community members. Currently, Timo Neubauer, Magdalena Garbarczyk, William Samuels and Jan Heijs are the active members of NelsonTasman2050 and have collectively prepared this submission.

Timo Neubauer is an experienced urban designer with an array of international and domestic experience, including the completion of the Urban Design Framework for Auckland Transport's City Rail Link, potentially New Zealand's largest investment in public transport in the last five decades.

Magdalena Garbarczyk is a director at Fineline Architecture, a Nelson-based practice focused on making architecture more inclusive, environmental and affordable. Magda has also been a lecturer and researcher and published research on environmental awareness strategies in education and practice. As a trained regenerative practitioner, she has been engaging in urban scale multi-disciplinary projects nationwide.

William Samuels is an architect and director of a Nelson-based architectural practice. His practice explores alternative housing typologies and innovative approaches to achieving high quality, liveable and affordable environments. Amongst his areas of expertise is the design of compact well functioning homes. William is also the chair of the Nelson Marlborough branch of *Te Kāhui Whaihangā* (New Zealand Institute of Architects).

Jan Heijs is a civil engineer. Jan has worked in and for local government for more than 40 years in New Zealand and overseas. His main areas of expertise are related to stormwater and wastewater management, the effects on the environment and strategy development. As part of this, Jan has been involved in many multidisciplinary planning processes. Jan has also been a hearing commissioner.

RECEIVED: 31/10/23
Sub No: 5740

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: Janet Southwick Full Name: Janet Elizabeth Southwick Address: Telephone: Email: baywickinn@iconz.co.nz
--	---

☒ 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

NDOS: 939570224-
1787

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

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

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

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

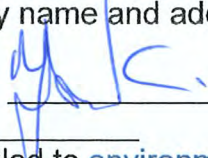
Other comments or concerns I have about Plan Change 29

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

Allow more "granny flats", small 2 bedroom homes that are only 1 story.

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

Submitter signature



Date Oct 21/23

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

Senior Planning Administrator
RMA Plan Submission
Nelson City Council

Janet Elizabeth Southwick

baywicks@iconz.co.nz

Signature:

Date:

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 PC29 in its entirety, but if it is not rejected then these are my points:

I want to acknowledge

- 1) That I have found it difficult to digest the total effect of the proposed PC29 and its supporting documentation due to its size and complexity and not being able to afford to print off a 'hard' copy of over 2000 pages, as well as not having a copy readily available for me.
- 2) That I have found PC29 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.
- 3) That I have been put into 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.

possibly purchasing an electric car, but now I can't afford to 'gamble' that money on something that could be useless if CP29 goes through

It is grossly unfair that new buildings could be erected that would take all my sun away.

I strongly support that the present sun angles remain the same.

7) Lack of Privacy

A possible 6 story building 1 m from my property line would make me feel exposed and uncomfortable in my own home and would also be a lack of acoustic privacy.

Nelson is not a Tier One city and therefore not required by government to build to Tier One expectations. The Council seems to be determined to build even higher than Tier One (six story instead of 4 in residential areas and 8 levels in the inner city instead of 6).

After attending public meetings I also question the population forecasts. The forecasts used by NCC are not Statistics NZ medium projections but are overinflated projections that require the scale of intensification to be greater than those of StatsNZ

Who are they being built for? Three local apartment buildings have occupancy rates of 30%, 34% and 50% respectively, with the vacant apartments being Air B&B's and holiday homes. I question that Nelson will just be a holiday destination as they are the only ones being able to afford them, defeating the whole reason for building them.

8) Risk of Natural Disasters

It is irresponsible to plan 'high density' in all hazard overlays because these areas have been assessed as vulnerable.

It has been pointed out by an engineer that the 107 Nile St property which is being developed by Kainga Ora shows on the latest 'public' flood zone overlay to not be in a flood area, but they have had to stop and change their plans to raise the buildings by 700mm. So council is asking us to make submissions on PC29 that we have no access to the actual updated document. This is unacceptable, as the public is not privy to this information. It makes one wonder what else might be out there that we are unaware of, or incorrect information has been given to us.

The block that is Domett St, Nile, Tasman and Hardy must now also be in a flood zone and could not accommodate safely or responsibly handle a six story 'high density' area. This block should have the same designation as the Wood and the northern part of Domett Street and part of the North side of Hardy St. If Tonkin and Taylor are predicting that the corner of Tasman and Nile will flood, then the water will flow down Tasman Street and through this block.

I would also like to get it verified that 'all along the Maitai' was to be a reserve and the streetscape would not change, but when I asked the planner she advised me to 'make a submission'. It seems for some reason that the most easily accessible walkway and cycleway could now end up ending in a cement jungle. This would cause a loss of green space and this can disrupt local ecosystems and reduce the riverside parks aesthetic and recreational value.

There would be an increase in stormwater runoff and can lead to erosion, water, pollution, and altered hydrology in the area potentially affecting the Maitai water quality.

Tall buildings can alter the local microclimate by creating shadow zones and changing wind patterns. This can impact the temperature, humidity, and air flow in the park, and river bank and its surroundings affecting the trees, grass, plants and animal life. This in turn will affect the walkers and cyclists who daily use this pathway. Traffic and air quality will also have an affect creating air pollution impacting both on the park and river ecosystems as well as the mental health of nearby residents.

This block is also on the fault line, it defies belief that Council feels it is ok to build multiple story buildings in an earthquake zone, (which experts say we are overdue on getting one along this fault line sometime soon). Are councillors and planners prepared to live next door to a six story building during an earthquake and escape the harm by falling debris, I think not.

9) I also ask that any new buildings in this area must have or provide parking for each unit.

10) Social Housing

Council and planning must take care and consider all social housing because there are too many examples across the country where this has resulted in disharmony in neighbourhoods. High density living for the homeless and vulnerable will not result in healthy outcomes for all considered. I would like to see Council working closely with Kainga Ora to provide a better way of creating new social housing developments that 'fit' with long term design visions of Nelson. I would also like to see Council have more 'fit for purpose controls' for antisocial behaviour that affects the existing neighbour's enjoyment of their property.

11) I would ask that Council does not 'hand over' our neighbourhoods to property developers who only care about the bottom line. Council needs to CAREFULLY guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high quality housing choices.

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 31/10/23
Sub No: 5741

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Full Name: DAVID JOHN GIBSON Address: Telephone: 022 189 0275 Email: davidgibsonc720@gmail.com
--	---

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

NCCS539570224
-17789.

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

As Detailed (But not Limited to) in my Attached Submission.
I oppose Plan Change 29 in its ENTIRETY

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

As per my Attached Submission

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

.....
 Submitter

30th October 2023
 Date

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

Tuesday 19th September

SUBMISSION

Although I do not object to intensification in the inner city to a level not exceeding four levels, I do object to the Nelson City Council Plan Change 29 in its entirety with some reasons listed below:

FLAWED PROCESS

As with all buildings, a strong foundation and process is required. Due public consultation process has not been undertaken under Plan Change 29 by the Nelson City Council and despite a Council vote deciding to proceed; this is a fundamental breach of process and is subject to appeal.

REVIEW PANEL MAKE-UP

Both Nelson City Councilors' on this review panel are openly in support of Plan Change 29 proceeding with multi-storey dwellings being placed in current residential areas. This renders the panel compromised in relation to impartiality. This has been raised at public meetings with the Mayor refusing to change the make-up of the panel.

EARTHQUAKE RISK

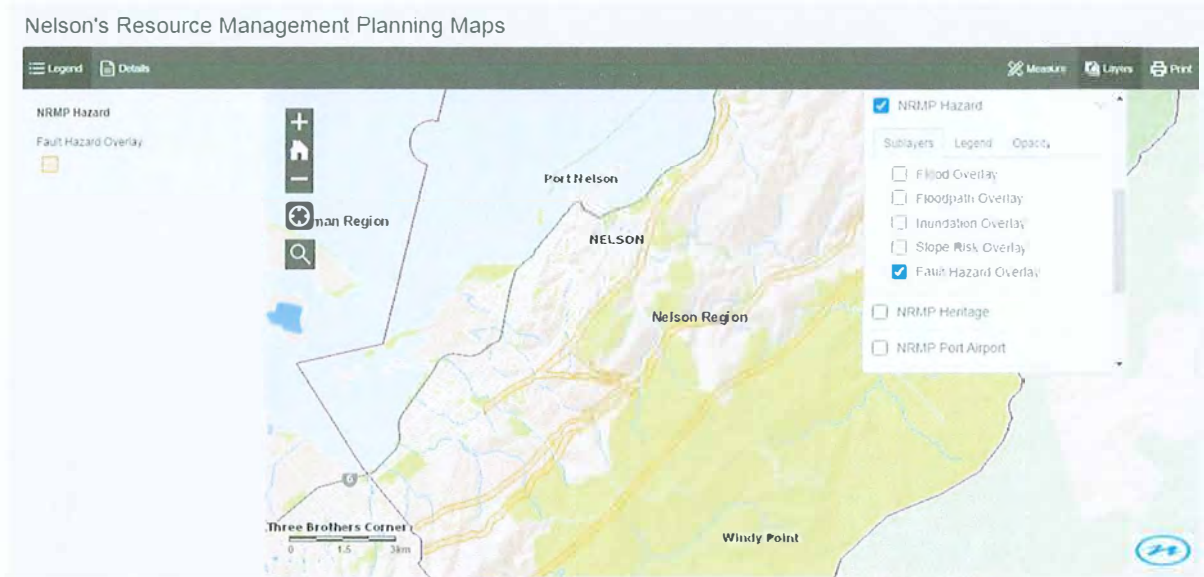
In my previous role as the Tasman District Police Operations Manager, I along with other Government organisations (Nelson City and Tasman District Councils included) were planning for the ALPINE 8 Fault line to rupture. This will be a significant event with catastrophic consequences. The timings of the ruptures have historically been very accurate in spacings.

75% probability of earthquake occurring in the next 50 years - Over 8000 years Alpine Fault has ruptured 27 times (on average every 300 years. Last significant quake on the Alpine Fault Line was in 1717.)¹

This rupture is now overdue and the city must prepare for this event to mitigate the loss of life, human injury and infrastructure damage by building wisely (lower levels), at suitable building sites (not in Council identified earthquake and liquefaction zones) and, obviously on solid foundations. The Nelson City Council has identified and published a 'Fault Awareness Overlay' (for their jurisdiction) travelling along The Ridgeway, Enner Glynn, Bishopdale, through to Nelson East, The Wood to Atawhai via the Brooklands to Tui Glynn.² A significant proportion of this identified area is densely populated with people living in residential properties. There is an identified clear threat to those living within the area, along with those neighbouring the fault line should Nelson suffer a significant earthquake. To disproportionally increase the number of people living within this area would be unwise by the Council – to build multi-storey structures to house people is simply ludicrous.

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

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



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

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

The Japanese are world leaders in building high rise buildings and skyscrapers factoring potential earthquakes. Despite this, and building in a manner to mitigate collapse, they acknowledge that no one can predict the intensity of future earthquakes. Due to the unpredictable nature of natural disasters, it is impossible to know whether a design can withstand the next large earthquake until after it happens. It is only in hindsight that engineers and architects can be certain about the resilience of their designs.⁴

I would argue that you don't need to be an expert to say building on a fault line is unwise, yet Nelson City Council wish to build on a recognised fault line. Are the council prepared to 'bet on *their* lives' that in the event of a major earthquake we as residents won't be harmed by falling debris from

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

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

multi-storey neighbouring buildings? Because they seem comfortable to bet 'our' lives on it.

POPULATION GROWTH

FLAWED DATA - The Nelson City Council have predicted a population growth that is in direct contrast to that predicted by Statistics New Zealand which is the recognised Government agency required to provide projections. Therefore, the city is intensifying to a higher level than required. The city should focus intensification to the inner city and revisit expansion to the city fringes and residential zones in future as required. This projection should be evidence based and not subject to 'guess work'.

FLOODING

Global Climate Change - *As Earth's climate changes, it is impacting extreme weather across the planet. Record-breaking heat waves on land and in the ocean, drenching rains, severe floods, years-long droughts, extreme wildfires, and widespread flooding during hurricanes are all becoming more frequent and more intense.*⁵ Based on worldwide events, it can be expected that Nelson will be subject to more severe flooding, directly impacting on those areas neighbouring rivers and streams. On the television channel Three 'The Project' on the 18th of October 2023, NIWA warned of increased cyclone activity and associated severe weather being likely in New Zealand due to climate change and the effects in other areas worldwide.

Risk of foundation erosion and damage caused by flooding coupled with multi storey buildings placing increased pressure on the footprint of the property, then add into the equation a minimum green zone as specified in Plan Change 29 of only 20% which severely impacts the absorbent ground available to assist drainage of flooding water – makes no sense building multi-storey dwellings near rivers and streams.

BUILDING HEIGHT

Nelson City is NOT a Tier One city and therefore not required by government to build to Tier One expectations. The Council has not only sought to be Tier One, but is intending to build higher level buildings than that required (Six storey instead of Four in residential zones and Eight level in the inner-city instead of Six).

Daylight angels - No algorithms have been applied to set the daylight angels, instead, the angels were determined by Council Planners 'just deciding'. The impact on neighbouring property owners and renters being deprived of direct sunlight is unfathomable. Aside from the mental and physical effects, there will be an escalation in poor health through mold and dampness.

Community Mental Health - *Building layout and organization may have a big influence on our mental health. Open and wide designs not only provide a sense of freedom and comfort but also aid in the*

5 NASA. (2023, September 27). *Global Climate Change*. Retrieved October 18, 2023, from Global Climate Change: <https://climate.nasa.gov/extreme-weather/#:~:text=As%20Earth's%20climate%20changes%2C%20it%20more%20frequent%20and%20more%20intense>

reduction of feelings of confinement and claustrophobia.⁶

The use of the abundance of natural light in architectural design has been scientifically demonstrated to provide a slew of psychological advantages. Sunlight does more than only brighten our surroundings; it also helps to regulate our circadian cycles. As a result, a normal circadian cycle enhances sleep habits and general mood, lowering stress and increasing positivity. The availability of natural light in our living and working settings is critical to creating conditions that promote mental wellness. (How Architecture Can Positively Impact Mental Health.⁷

Solar City - we recently, at great cost, put solar panels on our roof. These will be of no use should the property be shaded by multi storey structures. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.

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

PRIVACY

Universal Declaration of Human Rights - *No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.⁸* By unnecessarily erecting multi-storey buildings that encroach on the privacy of individuals as detailed in Plan Change 29 is a direct breach of these rights. To be surrounded by high rise buildings / apartments would be comparable to living like a goldfish in a bowl.

COST OF APARTMENTS AND LIVING

The recent estimated cost (to build) ONE apartment (Waimea Road – old Whakatu House site purchased by Kainga Ora) is \$600,000. Based on this value, for a citizen to buy an apartment clearly will be in excess of this value. Even with a decent deposit, once you factor the average salary, add on body co-operate fees and insurances, it could be expected that the individual will have less than \$5,000 to live on per year.

An apartment is not suitable for people with pets, nor those with children and it is unlikely that single people will be able to afford them. So the question begs.. Who are they being built for?

6 Tummalapalli, S. (2023, July 30). *How Architecture Can Positively Impact Mental Health*. Retrieved October 18, 2023, from How Architecture Can Positively Impact Mental Health: https://in.linkedin.com/in/sruthi-tummalapalli-598a82194?trk=article-ssr-frontend-pulse_publisher-author-card

7 Tummalapalli, S. (2023, July 30). *How Architecture Can Positively Impact Mental Health*. Retrieved October 18, 2023, from How Architecture Can Positively Impact Mental Health: https://in.linkedin.com/in/sruthi-tummalapalli-598a82194?trk=article-ssr-frontend-pulse_publisher-author-card

8 United Nations. (1948, December 10). *Universal Declaration of Human Rights*. Retrieved October 18, 2023, from Universal Declaration of Human Rights: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Three local apartment builds have occupancy rates of 30%, 34% and 50% respectively, with the vacant apartments being Air B&B's and Holiday Homes. Nelson is 'currently' sought after as a holiday destination and holiday makers maybe the only people to purchase them, defeating the whole reason for building them.

RECOMMENDATIONS FOR INTENSIFICATION BUILDING LOCATIONS

Relocate the Nelson Polytechnic from its current prime inner-city real estate to Kaka Valley (despite public protest against - the Nelson Mayor has indicated that this will be approved for building).

Replace the Polytechnic with inner-city intensified housing with green space in the middle of the block.

Intensify housing around Haven Road and Wakefield Quay as there will be minimal impact on others due to a hill on the Southern and Eastern sides of the structure.

Build over the Buxton Car-park. Future proof - First two levels - car-parking and the remaining – apartments.

Build over the Montgomery Car-park. Future proof - First two levels - car-parking and the remaining - apartments. Saturday Markets - Move to Rutherford Park or block off Trafalgar Street on Saturday mornings.

Mall in the Whakatu Car-Park – shops on the ground floor – parking and apartments above.

Delay further intensified buildings in residential zones until the occurrence of the Alpine Fault 8 rupture – there should be no shortages of 'freed up' sections in Nelson, Tahunanui, Stoke and Richmond.

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Rec: 31/10/23
Sub No: 5742
Docs: 539570224-17791

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

Submitter:
Full Name: DAVID WILLIAM WORTHINGTON.
Address:
Telephone:
Email: judy.dawson2@gmail.com

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

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

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

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

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

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

Other comments or concerns I have about Plan Change 29

N.C.C. has reneged on removing the parking of residents cars, vans, motorbikes and cars on the streets. Parking buildings are ugly, expensive and after disasters, they would be totally out of place in a small city like Nelson. It is better to build well-designed housing with some parking.

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

27/10/23

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

Ree: 31/10/23
Sub No: 57743
Doc: 539570224-1793

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: Ana Reyes
Full Name:
Address:

Telephone:
Email: ana202reyes@gmail.com

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

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

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

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

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

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

Other comments or concerns I have about Plan Change 29

Lack consultation

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

Ana Reyes

Date

30/10/2023

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

Ree: 31/10/23
Sub No: 5744

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

TO: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 NELSON 7040	Submitter: Full Name: JUDITH CHRISTINE DIX Address: Telephone: Email: judy.davrenz@gmail.com
--	--



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



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

I **OPPOSE** the Plan Change; and particularly the following

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

I **SEEK** the following decision from the Council

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

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

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

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

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

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

Other comments or concerns I have about Plan Change 29

An intensification of built and hard surfaces resulting in a rapid runoff of rainwater, increasing the likelihood of flooding. natural ground surfaces should be left to absorb water slowly.

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

Make sure that the projected population growth for Nelson is a real crisis. Restricted land area and the constraints of available work will naturally restrict growth. In 20 years time, as the baby-boomer bulge moves on, there may well be an oversupply of housing in the area.

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

Submitter signature



Date

27/10/23

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

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

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

Submitter:
Full Name: Rosemarie Montelan
Address:
Telephone:
Email:

Received: 30/10/23
SUB No: 5745
NOVCS:
539570224-
17799

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

rosemarie352@gmail.com

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

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

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

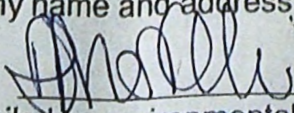
For further in-depth information please refer to our neighbourhood group submission.

Other comments or concerns I have about Plan Change 29

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

27th Nov

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

RECEIVED: 30/10/23
SUB NO: 5746
NOCs: 939570224-17801

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

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

Submitter:
Full Name:
Address:

M. SHORT
MELBORA ST 101

Telephone:
Email:

Melbora the house in 101

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

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

I **OPPOSE** the Plan Change; and particularly the following

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

I **SEEK** the following decision from the Council

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

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

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

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

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

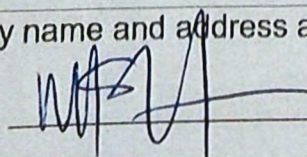
For further in-depth information please refer to our neighbourhood group submission.

Other comments or concerns I have about Plan Change 29

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

25/10/2023

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

RMA Submission Form for Publicly Notified Plan Change 29

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

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

(Hand delivery or courier to: Ground Floor, Civic House, 110 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*	Camilla Randall - Edstrom		
Organisation			
Contact Person			
Postal address*			
Telephone*	Email*	Camilla.ed@gmail.com	

OFFICE USE
Submission No: 5747
Date Received Stamp: 31/10/23
NDOCs No: 539570224-17803

Trade Competition*

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

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

Council Hearing*

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

Public information

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



Signature of Submitter*

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

30/10/23

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)

for the Council to reject Plan Change 29.!

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).

It is paramount that the Council rejects Plan Change 29 outright, with a new plan which reflects the special character of Nelson.

A plan that is appropriate for a small coastal town!

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: David W Smith

Address:

Telephone:

Email: dwsinohope@gmail.com

Signature of Submitter:



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 reject PC 29 in its entirety, in its present form, but if it is not rejected then these are my points:

1) The Plan Change 29 Presentation Processes.

- a) 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) 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) I have found PC 29 lacking in early public engagement and consultation by Council.
- d) Council Planning Staff at numerous meetings, have stated *"This is a Broad Brush approach that will require 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, and for them to then 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.
 - ii) 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.

2) 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 NPS UD Capacity: Guide on Evidence and Monitoring, para 2.1.1 and amend its intensification requirements accordingly.**

3) 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 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) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.
- i) **I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts that still have historic character value from the early settlement years of Nelson.**
- ii) **I ask the Council to appoint an Urban Development Agency (UDA) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.**
- iii) **I ask the Council to Retain the Church Hill View Shaft.**
- iv) **I ask the Council to Retain the Inner-City Heritage Precinct, update the design guide.**

4) Sunlight Recession Planes and Shading Effects

- a) Sunlight is a **CRITICAL** part of living in Nelson. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.
- b) TDC even 'Encourage the Sun into your home'. See <https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/>
- c) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects:
 - o Increased levels of mental health illness, anxiety and stress.

- Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
- Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
- Increased heating costs.
- Reduction in property values and increased financial stress, because the house would be less desirable to live in.
- 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.
- i. **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.**
- ii. **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.**

5) 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'.**

6) Intensification

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

- c) 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.**
- d) Bigger older properties, could be better utilised and help with our growth if they were more easily allowed to be divided into multi-dwellings.
- e) 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.
- f) 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.
- g) 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.

7) Progressively Phased Intensification

- a) Firstly, Inner City should be the starting place to have the most significant intensification, before forcing it onto the residential neighbourhoods; this can give more time to complete a better design vision for our residential neighbourhoods.
 - i) **I ask Council to make better utilization of Car Only spaces, by developing them into shared spaces, with Accommodation overhead. 'Nelsust' highlights 44% of the Inner City as Car only spaces.**
 - ii) **I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences'.**
- b) Secondly, City Fringe would be the next zone to phase in for intensification.
 - i) **I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land that can be better used for accommodation.**
- c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
 - i) **I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) if required and over time, providing AP15 Daylight Admission Protection rules remain in force for existing properties.**

8) Intensification in hazard zones

- i) **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.**

9) On-street car parking

- 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 these issues.**
 - ii) **I ask Council to use traffic calming solutions that do not remove on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.**

10) 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.**
 - iii) **I would like to see more "push back" (not law breaking) on matters that local Nelsonian residents seek for their City.**

11) Infrastructure

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

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: 5749
Date Received Stamp: 31/10/23
NDOCs No: 539570224-17807

*Required

Submitter Details

Full Name*	Dennis Goodman		
Organisation	-		
Contact Person	Dennis Goodman		
Postal address*	-		
Telephone*	Email*	dennis@astrovinz.nz	

Trade Competition*

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

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

Council Hearing*

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

Public information

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


Signature of Submitter*

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

31/10/23
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)

I support the changes in principle, however it's too simplistic in its current form. It should not be done on a block by block basis. It almost has to be done on a section by section, or group of sections, basis. This is to avoid shading issues re existing properties. The ground floor of any dwelling should, in my opinion, receive a minimum of 5 hours direct sunshine, even in winter. Do not build, for example, 6 storey apartments on the south side of an east-west street, eg. Nile St, as that will only shade properties behind. Build on the north side, and such shading will be much less. From what I see in Christchurch I'd actually suggest 6 storeys is too high in general. 3-4 storeys is more appropriate. Although if a development was to take place over, for example, Buxton Square, you'd have ground level car parking, and could have 6-8 storeys of apartments above that. So, proceed but not before ~~that~~ shading issues have been addressed, as per my recommendation above.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

Note:

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

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

Environmental.planning@ncc.govt.nz

Submitter: Julie Carter

Full Name: **Julie Anne Carter**

Address:

Telephone:

Email: juliecarternz@yahoo.co.nz

Signature of Submitter



Date: **30th October 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, but if it is not rejected then I would like to raise the following:

1) The Plan Change 29 Process

- a) There seems to be a lack of a cohesive roll-out of Plan Change 29 – raising awareness in the community, consultation with residents, and the availability of documentation so that people understand the proposed changes, that may directly affect them.
- b) The ad-hoc planning of Kainga Ora builds in many suburbs at a maximum height of 19.5 m seems aesthetically illiterate because of the impacts on existing residents. The NCC has created a win-lose scenario, where some people get housing, but existing residents get shade, decreased property value, and an absence of protection.
- c) In relation to 59 Wellington Street, the road is narrow and one-way at the southern end. As there is no provision for parking this will result in an overcrowded area with cars that will be a hazard for police, fire fighters, and ambulances, and make it less safe for children walking and biking to school.
- d) In terms of educational facilities there are plenty in this area, Nelson Girls College, preparatory intermediate school, Hampden Street School, and a pre-school just across the road. Yet the plan for the tower blocks is for 77 1- and 1.5-bedroom units – not places for families.
- e) The pensioner flats built adjacent to 59 Wellington Street were built for the elderly and pensioners. However, now there are empty pensioner flats and an empty 3-bedroomed Kainga Ora house due for demolition. Why are these places not being used for housing?

2) Wellington Street

- a) We have added a sunroom to 59 Wellington Street with tiles on the floor and glass walls, so that the sun can enter and be absorbed by the tiles. It is a delightful space to be in. But by building tower blocks next to us, this sunroom will no longer exist.
- b) It is interesting to hear accusations of Nimbyism. Everybody realises that people need houses to live in. NCC has put people in a defensive position by deciding that their sun, privacy, gardens, and amenity values will be taken away. The Council should understand that their approach to Plan Change 29 that lacks expertise, planning and design, and a lack of awareness of residents' rights and needs is causal. I refer to those people who have worked for much of their lives to buy and pay off their residential accommodation.
- c) 59 Wellington Street has also had numerous issues with storm water running into the property, being a low-level section, and sewerage bubbling up through the storm water trap. My mother happened to be overseas the last time this occurred, so it was the neighbourhood's waste flooding on to the section. This has happened on more than one occasion, which the Council is aware of. If this happens in high rainfall events, how will 77 units next door affect the already outdated and struggling infrastructure.

3) Hearing Panel

- a) I disagree with the make-up of the hearing panel, due to the conflict of interest. Both Councillors on the panel have already voted in favour of Plan Change 29 following the vote on Councillor Courtney's proposal to withdraw PC29 on the 14th of September. With this very clear conflict of interest these Councillors should be replaced with independent commissioners.

4) Nelson's Population forecasts

- a) In his submission for Plan Change 29, Dr Geoffrey Hayes states that 'The analysis of past and projected population growth in Nelson undertaken by NCC is seriously flawed'.

As the Council have already said, 'Plan Change 29 is the biggest plan change that we have done as a Council in a generation'. (Our Nelson, Issue 176. P6). Surely this means that we should be informed of the correct information and not something that is seriously flawed. Why has the Council not adhered to the highest scientific standards, when significant changes will affect our city and our lives?

- b) Clearly, overstating our population increase and inflating the need for Plan Change 29 will impact the planning, decision making and extra housing to be built. Exaggerated and flawed projections are not good enough in this context.

5) Design Lead and not Developer Lead Growth.

- a) Nelson is a wonderful place to live with sun, beaches, rivers, and lakes. It is a special part of New Zealand with generally low-rise buildings that enable outlooks and views. There are also many character buildings that add to the uniqueness that is Nelson. We need to protect this character from Kainga Ora tower blocks, and modern builds next historic homes.
- b) In his Stuff article published on the 23rd of October, Timo Neubauer (an Urban Designer) asks 'Can we intensify Nelson without a design?' Without a design for our city, what will be the future look and feel of our town?
- c) It is not acceptable that NCC has missed the design stage altogether to allow any building development without much in the way of criteria. Our Future Development Strategy outlines the need for open spaces, outlook, privacy, private green spaces, and play areas already. We need a shared vision for Nelson, not a Council vision. Well-designed towns and cities that are great to live in don't happen by chance.
- d) What expertise does the Council have in-house? For the sake of our city, Council should appoint a conservation architect, because many of Nelson's heritage and character buildings contribute to Nelson's point of difference. Plan Change 29 also facilitates the loss of non-renewable heritage resources with economic, social, and environmental consequences. In addition, do we also need the expertise of urban designers, landscape architects and architects to avoid an unplanned, poorly designed outcome? Is there a plan in our climate crisis environment for flood protection and water courses amongst this proposed intensification?

6) Intensification

- a) I strongly oppose the High-Density Residential Zone as it is not in keeping with Nelson's character, single storey dwellings, views, and outlooks.
- b) I am also opposed to the increase of residential units beyond 4, as a restricted discretionary activity that does not require notification and written approval from neighbours. This planning is completely out of character and would impact on existing residents without warning.
- c) The inner city, according to Nelsust, has 44% dedicated to car parking. These should be the places for intensification. I am also aware that the Mid City Motel, 218 Trafalgar Street, is for sale. The petrol station opposite the library is no longer being used. The building in progress near Big Save Furniture could also be used for Social Housing. There are many places that could be turned into accommodation, without impacting existing residents in single story character housing.
- d) I would also like to see Education Board Land taken off the plan.
- e) The height of new builds to be not more than two stories, with existing daylight angles that allow for sun and winter sun.