

Online submission

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

Submitter No.	S1
Submitter Name	Neil Lindsay
Submitter first name	Neil
Submitter surname	Lindsay
Submitter is contact	Yes
Email	n.lindsay@hotmail.co.nz
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support	I would like to state my support for the entirety of Plan Change 29. Plan Change 29 will help enable quality intensification in the town and provide more housing choices. I am a renter in my mid-twenties and would love to live in an apartment or townhouse closer to Nelson Town. Currently, the only choice I have is a standalone house. I would love to be closer to the shops and amenities in the town without having to take care of a standalone house. While it is unlikely that high-density housing will be developed for a long time, I still feel it is important that people (especially young people) can choose the kind of housing that works for them. There will always be low-density residential options for people who like that, but Plan Change 29 provides an alternative. I also feel it is important to note that young people will be vastly under-represented in these submissions. Most young people (especially in Nelson) want more housing choices, more action on climate change, more effective public transport, and higher density. Plan Change 29 helps to enable all of these things. I remind councillors and other decisionmakers that the demographic of submitters is unlikely to be representative of the population as a whole and to not forget the often unheard voices of Nelson's young people.	General support for the plan change in its entirety

Documents included with submission

None

S2

Voided

Online submission

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

Submitter No.	S3
Submitter Name	Stephanie Gray
Submitter first name	Stephanie
Submitter middle name	Anne
Submitter surname	Gray
Submitter is contact	Yes
Email	stephontherun@yahoo.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	My reasons are three-fold: 1. Sunshine and health Nelson South already suffers from poor housing stock, with inequities in health, wellbeing and socio-economics outcomes arising from this. Why allow a massive six-stories building to take the sunshine warmth and privacy away from areas already struggling? The value of sunshine, for old NZ homes, might be intangible but could be calculated in terms of the effects on health, happiness, social connectedness, how children play, and on how a family fares in that home. 2. Community counts, and so does safety The streets in my neighbourhood, around Tipahi Street, Hampden St and Kawai Street, might not have 'heritage value' but they have immense community value. The balance of cars, to pedestrians and cyclists (a large number of whom are school children) is at a tipping point and the council has invested in road calming and safety measures (such as the closure of the end of Hampden St). How will 'high density' maintain safety, with the inevitable increase in cars and traffic? Simply building highrises without parking will not discourage car ownership either. Nelson is decades away from the culture shift needed to separate Kiwis from cars. 3. Housing values If you are lucky enough to own your own home in Nelson South, you've probably got a mortgage with a bit of equity. That equity is threatened to erode. Who would buy a bungalow, villa or 1940s weatherboard house, as lovingly kept and renovated as they may be, with high-rise boxes on either side, looming over and blocking the sun? 4. Flight With areas like Stoke already emerging as preferable for the co-ed schooling and community facilities that Nelson lacks, has NCC factored in the increase in flight to these regions by home owners and renters alike, for whom this is a last straw? If you wanted to live in an area with highrises, why not move to a city with the infrastructure to support it, better playgrounds, a proper library and urban lounge, a proper concert venue that can host a large indoors concert. It will result in having the worst features of high-density living without the benefits associated with them.	To cancel the rezoning of large parts of Nelson South, from the proposed high density residential status, to medium density.

Documents included with submission

None

Senior Planning Administrator
RMA Plan Submission
Nelson City Council
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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.

S₄

Voided

Online submission

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

Submitter No.	S5
Submitter Name	Carol Parkinson
Submitter first name	Carol
Submitter middle name	Joyce
Submitter surname	Parkinson
Submitter is contact	Yes
Email	parkiespatch@xtra.co.nz
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	I oppose 3 or 6 story buildings or apartments being built in the quiet street I live in without Council or neighbour consultation. I object to an apartment being built within a metre of the boundary! we brought this property to semi-retire, we have a small one-story home that would be completely blocked of natural light & sunlight (warmth), RE.3.i If our neighbours were to build a 3 or 6 story building (or multiple buildings) next to us. we would also lose our privacy, RE2.4.i. The additional traffic, parking issues, noise & loss of privacy would destroy our quiet enjoyment of this peaceful neighbourhood. we purchased here to have easy access to amenities: the beach, the shopping/supermarket, chemist, Doctors & the parks. we purchased here to be closer to grandchildren, to help out with childcare & to contribute to our community. we cannot afford to move into a retirement village or similar. we saved & worked hard to finally purchase a home here in expensive Nelson. We deliberately purchased in Stoke to be out of the city, to have quieter neighbours & walking access to parks & other quiet spaces. Large/tall buildings are not compatible with the current character of the neighbourhood. RE2.5. RE2.6 should be maintained so our residential area has quiet, peaceful surroundings.	do not change the zoning for Stoke central from general (low) residential to high density. such a change will mean my neighbours would then be allowed to build 3 or 6 story buildings without consultation. AB2.2 should be maintained where land use, height of housing/shading neighbours & location and operation of activities avoids noise which could adversely affect people.

Documents included with submission

None

S6

Voided

S7

Voided

S8

Voided

Online submission

Received 31/10/2023
NDOCS-539570224-18371

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

Submitter No.	S9
Submitter Name	Michael Playford
Submitter first name	Michael
Submitter surname	Playford
Submitter is contact	Yes
Email	playfordmichael7@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	Medium Density Residential Zone	Oppose in part	Up behind Hampden St school is already very congested and can barely cope with congestion already. Increased urban density will make this much worse and destroy the quality of our neighborhood.	Not happy with the idea of 3 story residential outside the CB/along Waimea Road/in existing industrial zoned areas.

Documents included with submission

None

Online submission

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

Submitter No.	S10
Submitter Name	Nicola Roberts
Submitter first name	Nicola
Submitter middle name	Ann
Submitter surname	Roberts
Submitter is contact	Yes
Email	nicky.eoberts@xtra.co.nz
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	Medium Density Residential Zone	Oppose in part	As above	I would like consideration to be given to sections that would interfere with north facing properties. These are the ones where the sun will be severely impacted. My home faces north and if a 3 story home was built in front of me I would have not one bit of sun all day. This would completely ruin my health and value of property. I understand this change however believe it should cover inner city only with maybe one street around. This is because that area already has higher story so impact of living minimal. I also feel if you are going to negatively affect areas surrounding nelson city you should impact all areas - why only some eg: the wood v the Brook? This makes no sense and is unfair

Documents included with submission

None

Online submission

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

Submitter No.	S11
Submitter Name	Oliver Whalley
Submitter first name	Oliver
Submitter middle name	George
Submitter surname	Whalley
Submitter is contact	Yes
Email	oliver.whalley@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	General Residential Zone	Support	The space available in the upper Brook could be more efficiently developed to provide housing for Nelson which is in dire need of it.	I support the proposed change to allow higher density in the general residential zone in Upper Brook Street. Please proceed with the change as proposed.

Documents included with submission

None

Online submission

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

Submitter No.	S12
Submitter Name	Emily Gardwell
Submitter first name	Emily
Submitter middle name	Jane
Submitter surname	Gardwell
Submitter is contact	Yes
Email	ejshowell@hotmail.co.uk
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	This change will drastically reduce the quality of life for many nelson residents. To build a 3 or 6 story block next to a single level house will make that home dark, cold, damp and reduce privacy. Without sufficient light our houses become unhappy places to live, cost extra to heat. They become damp, causing illnesses like asthma. Most of the streets ear marked for possible development are quiet, residential streets and totally inappropriate for 6 storey blocks. Terrace housing is much more preferable.	I wish the council to to scrap this plan.

Documents included with submission

None

S13

Voided

Online submission

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

Submitter No.	S14
Submitter Name	Lisa Wakelin
Submitter first name	Lisa
Submitter middle name	Kimberly
Submitter surname	Wakelin
Submitter is contact	Yes
Email	lisawakelin27@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support in part	I have 3 kids ages 7, 5 and 2. We have just started taking the bus regularly and the only downside is the lack of seats to wait for half an hour for the bus. To alleviate kids boredom waiting and often standing (because we give up seats for elderly) it'd be great to have what an outlet close by that they could have fun whil waiting.	hi there, I'd love council to consider more playground equipment - specifically 2 swings together (1 baby seat 1 normal seat) or 1 slide - in random places in the proposed purple areas. there's nothing worse than trying to keep kids entertained while waiting for public transport. It's also a life saver to have a wee place for kids to entertain themselves while adults shop. Since the plan removes the need for any off street parking to residents, I'm assuming less people will be driving & more people using public transport. Wellington has wonderful examples of very bright colourful playground equipment randomly dotted around high density areas. I'd LOVE it if Nelson council would consider doing this to

Documents included with submission

None

Online submission

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

Submitter No.	S15
Submitter Name	Barbara Edwards
Submitter first name	Barbara
Submitter middle name	Jean
Submitter surname	Edwards
Submitter is contact	Yes
Email	jean@imonline.nz
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	1. Council must thoroughly examine overseas research on multi-storey accommodation showing over-riding negative effects, relating to lack of socialisation and no feeling of ownership, resulting in poor 'community' climate and hence anti-social behaviour, more crime, children playing unsupervised or merely 'watched' from one of the storeys, and more. 2. These arbitrary designations of areas for the 3 levels of intensification need to be completely redesigned, with due consideration of the type of housing and neighbourhoods, property values (which have been shown to be drastically reduced). 3. Council should instead of multi-storey housing, build row-housing or staggered row housing which has worked well (e.g. Christchurch) AND has many advantages: more socialising, less crime, people feel prouder of their home, each has a small garden for socialising, growing veggies, kids to be able to play etc. etc. Much better in the long-term for the neighbourhood too.	I want the Council to completely revisit the whole Intensification scheme and consider other options.

Documents included with submission

None

Online submission

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

Submitter No.	S16
Submitter Name	Zoe Hague
Submitter first name	Zoe
Submitter middle name	Robyn
Submitter surname	Hague
Submitter is contact	Yes
Email	zoehague91@gmail.com
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	I'm against the 6 stories in residential areas. You propose it in example Washington Valley which already gets minimal sunlight and is damp. Building a 6 story building next to a house means they will have no sunlight	6 stories is way too high in residential areas

Documents included with submission

None

Online submission

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

Submitter No.	S17
Submitter Name	Caroline Edgar
Submitter first name	Caroline
Submitter surname	Edgar
Submitter is contact	Yes
Email	armstrong10@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	General Residential Zone	Oppose	I am concerned that the current plan will see many people loose sun and cause shade around their homes. Leading to colder, damp prone homes which are unhealthy and cost much more to heat. Building multi story housing which causes other homes to lose their sun is not the answer.	No to plan change 2

Documents included with submission

None

Online submission

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

Submitter No.	S18
Submitter Name	Chante Whitehouse
Submitter first name	Chante
Submitter middle name	Ilona
Submitter surname	Whitehouse
Submitter is contact	Yes
Email	chante@nourishcatering.co.nz
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support		I feel this is good to continue development of Nelson, increase housing availability close to the city, reduce traffic, enhance walking/cycling and invigorate the CBD.

Documents included with submission

None

Online submission

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

Submitter No.	S19
Submitter Name	Mike Ball
Submitter first name	Mike
Submitter surname	Ball
Submitter is contact	Yes
Email	mike.ball44@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	I don't want to see a lot of new housing built, which is entirely satisfactory but which renders some existing housing much less liveable than previously because of loss of access to passive solar heating from sun.	I was broadly in agreement with intensifying residential land use, until I found out more about what is actually proposed. Just as bad is the process for considering this change which appears to be undemocratic. My main concern is with the significant relaxation of the rules around recession angles and particularly the impact this could have on existing residential properties. The proposed new rules may be adequate where a large area is (re)developed and so all the properties are designed with the amount of sun they will receive in mind. I think this is much more difficult when single lots are redeveloped in amongst existing houses. I recognise that not relaxing the recession angles makes it more difficult to build taller houses. In my view this may be a good thing as one of the attractions of Nelson is the relative lack of tall buildings once you leave the CBD.
Residential Zones	Other	Neutral		Is there any requirement to provide parking? Although it would be great for people to drive less, most households are still going to own ONE car for the foreseeable future, so we need to consider where they are going to park it, and probably how they are going to charge it.
Residential Zones	Other	Neutral		If we are going to build taller, what provisions will there be to ensure that at least some of these houses are accessible for those with reduced mobility or needing to use a wheelchair? This problem may be compounded by the fact buildings may well need to be raised in order to reduce the risk from flooding. We already have a problem in this area which is only going to get worse as the population ages.
Entire Plan Change	The Plan Change process	Oppose	Please delay the decision making around this momentous change to allow genuine consultation with the residents and consideration of their points of view. The commissioners considering submissions needs to be entirely independent of the Council. No councillors should be involved. Their role should only be to consider the recommendations of the INDEPENDENT commissioners and whether to support or disagree with those recommenDATIONS.	As more information is coming to light, it has become apparent that the process around this proposed change has been terrible. The people potentially most affected by these changes (the current residents of Nelson) have found it difficult to get information in an understandable format and even harder to work out how to express understandable concerns through the submission process. I'm reasonably intelligent and computer literate but I have found it difficult to the point of almost giving up. The only reason I haven't is that I think if this plan goes through as it is it will be disastrous for the future of the place I have called home for the last 24 years. I am very concerned that this is a 'done deal' in that the commissioners will include a majority of Nelson City Councillors with already formed ideas in support of the Plan.

Documents included with submission

None

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

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

Submitter

Full Name: Tim Bayley

Address:

Telephone:

Email: baywicks@winestorage.co.nz

Signature of Submitter: *electronic signature Timothy G*

Bayley Date: 30/10/23

I CAN 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. OVERVIEW

The last 2 1/2 months have been incredibly stressful for a lot of Nelson homeowners and tenants as they battle to preserve their hard won amenities against Council and its planners who want to bring in Plan Change 29.

Back on August 10th Mayor Nick Smith stated "PLAN CHANGE 29 is the biggest change that we have done as a Council. The key to its success is encouraging submissions. We need Nelsonian's input so we get the right rules in the right place"

So why did they not ask us first before writing it into a 2000 page legal document?

This plan changes most of the existing rules that have governed Nelson's development over the past 150 years

Home ownership is the aim of most of us and is the biggest single financial decision that we will ever make in our lives. We all chose carefully and in sunny Nelson we buy or build to a number of major points ... sunshine, view, size and layout etc.

Most homes are advertised as being "sunny aspect", "great view", "stunning location", "Come to sunny Nelson ... the sunshine capital of New Zealand." they said. So that is what we all did ... we came, we saw, we bought or we built and we created businesses all within the existing zoning laws that respected everyone's rights to share what Nelson has to offer.

SUNSHINE, privacy and views a great place to live, work and bring up a family.

And now with the stroke of a pen, Nelson's planners want to take all that away ... and it will be "As of Right" for your neighbours, or the developers they sell to, to do pretty much what they want with no input from you.

And for what reason you might well ask?

So that some new comers to Nelson can have, just for themselves, what we have been sharing quite happily for the past 150 odd years.

Is this how you build a collegial society?

If not ...

Is this the kind of city you want to live in?

A city where everyone lives in fear that their neighbours will one day sell to a developer or build something ridiculous that will block all your winter sun, your privacy or your view if you have one.

This just creates "Fear and Loathing in a lost Nelson".

The existing recession angles are such that they allow everyone to share the winter sun, that is so important to ones health and well-being.

It allows one to heat one's home by passive solar heating, to heat your hot water via a solar collector, to generate electricity with solar panels, to get sun for vitamin D and to get light and dark for melatonin that regulates your sleep patterns.

The reason your neighbour had to build under the 25 degree recession plane is so that you will always get the sun even at it lowest level in midwinter of 25.5 degrees.

EVERYONE GETS TO SHARE THE SUN ... it does not belong to anyone .. it is there to for the whole world to share...

This is how a sharing and caring society should work.

So those of us, who have been here for many years and worked hard to make this a great little city to live and work in, suddenly count for nothing and we are paired against our neighbours in mistrust and fear waiting for that Monday morning when the bulldozers show up

With good design and working with ones neighbours, we can easily create more density within existing urban areas without impacting on others existing amenities. We did on our section and all well within the existing rules.

Plan 29 is just lazy planning, that opens up the rules and allows developers Carte Blanche to do as they please, this will never be the best result for our Smart Little City... as money is always the driver!

2. No development without input from Neighbours ... ie no "As of Right"

This is a totally wrong approach to developing a great and liveable city. No one should have rights to do things on their property that adversely effect yours. ALL residential resource consents should be notified to the affected neighbours. Issues need to be sorted before any building permits are issued. In the case of a dispute there should be an independent resource consent panel that hears both side and whose ruling is binding on all parties. This panel should be made up of local architects , planners and locals "of standing" who are totally independent of the council and their planners.

3. Forming a Collegial Society.

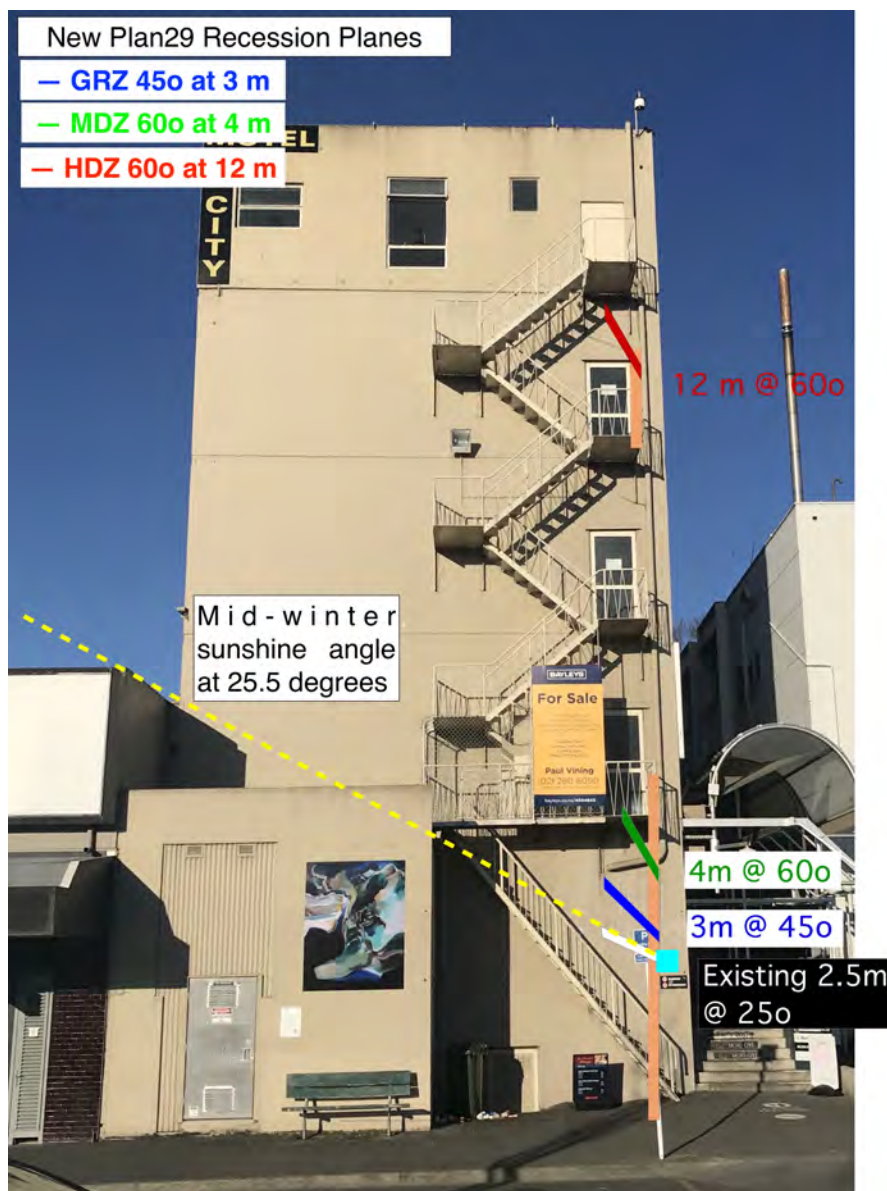
This Plan Change 29 creates an adversarial environment between homeowners and developers and the council. Allowing owners to “as of right” be allowed to make major changes to their property without any consultation or notification of those effected by these changes just creates a very adversarial environment that does not make for good neighbours or neighbourhoods. We all be awaiting the arrival of the demolition crews to start the building of “who knows what” next door to us

4. Recession Plane Angles ... why they exist?

There has been a lot of discussion and talk around recession planes in the last 10 weeks ... and all of it centres around mid-winter sunshine angle of 25.5 degrees in Nelson. This is why the angle was always set at just under this angle, 25 degrees from 2.5 m's high, at your northern boundary so that your northern neighbours could never “build you out” of your share of winter sun. Winter sun is incredibly important in Nelson ... for many it is the the only form of cost effective heating

The new recession angles are nothing to do with sun ... they are worked backwards from what will fit for the different zonings and new build heights when these building are placed just 1 m from your boundary. So they are of no benefit to you, the existing homeowner .only to the developers who want to intensify the section next to you.

The existing recession planes should remain and “daylight around” should stay as it is in the existing zoning as this works well for strange shaped section and section on



hills. The new angles all being the same for every boundary does not work for these sites and section.

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.

But just how can you have this overarching statement “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” in this report and then have recession angles that do exactly the opposite - they remove ALL winter sunshine ... the term “daylight” is misleading ... one can get “daylight” in a cave for goodness sake !! It is sunlight we want and need for our health and mental wellbeing.

5. Reasonable developments.

We need reasoned , well thought out development across the city that works with each different neighbourhood. We need proper planning with design criteria that works and does not disadvantage the existing residents for the benefit of the new. We redeveloped our property at 51 Domett St ... subdividing off a small back section and building a modest 2 story Victorian cottage of some 145 m2 without going above 6.5 m in height and staying well within ALL the existing daylight angles. WE then sold off the front house to two couples who have since added a flat in the lower level so the density of our original section has **quadrupled** ... from 1 couple to 4 couples more than the level of intensification that NCC planners want ... and all without impinging on ANYONE'S existing amenities. It CAN BE DONE ... !!

6. Building up v's Building small.

There is no place for building 6 story apartments in existing residential neighbourhoods. There is just no point to doing this .

As a commercial venture these building are an incredibly risky financial project. The cost of building now is such that units in these building need to sell for well over a million\$ most 2 bedroom or bigger selling for well north of \$1.5 million ...

Is there a demand ? I suggest not, as shown by the lack of units that where build under National's Special Housing Areas back in the teens. There were several high rise apartments proposed under this “Fast Track” scheme around the Port Hills (where interestingly they would NOT have effected anyone's sunlight) but now some 8 years later only one of these is “under construction” behind Spotlight at the end of Halifax St ... and even it has had it's issues ... with being in “suspension” for the past 7 month as there was not enough money or sales to continue.

So who is going to want to build these high rise apartments? Only Kainga Ora have the budget to pay the price for these to be built and they want to fill them with single occupancy studio units being just 35m2 in size.... Is this what we want in residential areas?

I say NO !!

Within the CBD there is the option for building up over all retail but is there a market for these units?

A couple of developers have done this over the past year but only up two stories and both have only been done as rentals....

8. Planning by developers v's actually planning our city by design

Plan Change 29 is just planning by developers not by design. This is just "lazy" planning where you "open-up" all the zoning rules to allow almost anything to be built at the detriment of the existing residents. It is NOT the way to plan a smart cohesive city where we all get the benefits of living in this great area. We need real planning that has a proper design criteria for each neighbourhood.

I strongly support the establishment of an Urban Development Agency (NT-UDA) as proposed by Nelson Tasman 2050. This is the direction we should be pursuing where planning is actually PLANNING across the whole spectrum of the society and the total area of Nelson and Tasman .

9. Architectural assessment of neighbourhoods.

We need planning that looks at each neighbourhood by its existing build character as what is good and bad and how we can work with each neighbourhood to improve and to provide increased density without adversely affecting the existing residents. New buildings need to fit into the existing fabric of each neighbourhood but as it stands with Plan Change 29 we have absolutely no input into this and we have to rely on the very Planners who designed this zoning change to make sure we will not get crap! So suddenly the people who live and work in Nelson have no say on its future look or direction ... once again the ugly "worm" of "As Of Right" rears its unknown head! Council Planners are not designers they are just "checkers" to make sure the developers have ticked all the boxes to build within the very liberal restrictions that Plan 29 is proposing.

10. Maintaining the integrity of our city.

The integrity of our city must be retained. This is a great little city and we all love living here but this could easily be destroyed by allowing people to build up indiscriminately blocking out the sunlight from existing residents.

We must maintain the sight lines within the CBD ... especially the one from the Cathedral step down Trafalgar St. To say this has gone because of the side of the trees is a "joke" ... just trim the trees ! Don't allow 8 story buildings to line this iconic sight line of Nelson.

My wife has run a successful Bed & Breakfast business in Nelson for the past 25 years and we have had thousands of overseas visitors through our doors and the main comment that comes back is

"What a great little town you have here" - "way better than all the ones we have been staying in so far on our trip ...only wish we had known this about Nelson before and we would have stayed longer"

They love the downtown , the restaurants , the bars , the different non-chain stores, The Suter , the Queens Gardens, the Centre of NZ etc etc ...

So we really have a gem here ... do not let "runaway" developers destroy it without any overall design.

11. Correct information by city planners - who's in charge on NCC?

I have found Plan 29 very hard to get one's head around ... it is an extremely long and boring legal planning document only to be read and understood by planners and is mind numbing to the average resident who it affects.

I have found the planners have not been that receptive or helpful in helping us novices understand the document and what it means ... when asking questions on a specific point I was often just referred to a section of the report that was some 150 to 300 pages long with the statement "you will find it in this section Tim" -

Well that is not very helpful to the average layman but I kind of understand that is what council planners are used to doing ... because it is their job to check that proposals and plans that come into council for projects are "ticking" all the correct boxes ... not for them to tell the developer or builder what he should be complying to. That is normally done by their designer or paid planning consultant who knows and understands all the rules and zonings that are in a plan like Plan 29.

The friend of submitters was way more helpful and helped layout the intricacies of this Plan ... like how this Plan only actually allows 3 buildings with 1 dwelling or units in each on a site AS OF RIGHT . But by applying for a simple "restricted discretionary" resource consent the proposal can go from 3 dwellings to multiple units in each building without anyone in the existing neighbourhood having the slightest idea. This is just WRONG.

This law puts the FOX in charge of the hen house ... in fact it allows the FOX to design the rules that the hen house is built to then has the FOX checking the application to build new hen houses something is wrong here

12. Lack of information

The information provided over the last 10 + weeks has changed To start with the planners talked about the new daylight angles and how these would allow for great intensification over the whole city except for those areas that were in areas prone to flooding and inundation from sea level rise.

Then as the meetings proceeded less and less was put forward about the angles as they saw how the public viewed these as a basic infringement on their rights to winter sunshine real information became harder and harder to get out of the planners and when one brought a major issue up with them (like inaccurate Flood Plane Overlays) we were told "put it in your submission" this became the buzz word of the planners as they saw massive opposition to this plan from the general public.

13. Issues with a 2000 page Eplan for the general public .

We have all struggled with this new incredibly complex E Plan with its many layers of extremely complex planning jargon. I understand that this is the future but it is so difficult for the average person to understand this and what it all means. The overlays on the plan are hard to follow and we would contend that some of these are incorrect especially around the Brook Flood Plane overlay.

Having witnessed the flow and flood patterns of the Maitai and the Brook Stream over the past 25 years ... this flood plane just DID NOT ADD UP !!

Once the Maitai gets to a certain level of flooding it blocks the exit of the Brook Stream under Domett St and only allows around 30 to 35 cubic metres a second to get out into the main river which was what the Brook was running on Wed 17th of August last year the first day of the big 3 day flood. But Tonkin and Taylor have the 100 year Climate Change max flood for the Brook as being 97 cumecs ... which means we are missing capacity for emptying the Brook out into the Maitai of around 60 cubic metres a second !

That is around 3500 VW bugs to get rid of a minute or 220,000 an hour !! Where is it all going to go ? It can't get out to the Maitai so it must be going straight ahead at the last big bend and through the houses in the Nile to Hardy, Domett to Tasman block and then on into the next block.

But for some unexplained reason that northern block is already excluded from Plan 29 zoning due to flooding so why would the block above that not be the same? I would content that T&T did the flood plane for the Brook assuming that the Maitai was totally empty of water! During heavy rain events this never happens This is the only explanation as to how they think 97 cumecs can get through under Domett St and out into the main river.
See included **The Brook Flood Model**

14. The use of existing housing stock for Air BnB - un-hosted.

There are well over 250 Air BnB properties in Nelson that are operating as Un-Hosted ... ie key box lock up only ... no contact with owners or owners on site or hosting as a B&B should be.

These are taking out good rental units off the market in Nelson and leading to a shortage of good rental units.

NCC should introduce a new semi commercial rating system that penalises these homeowners owners who are making commercial gain from renting out houses or apartments as short term Air BnB's. This would discourage this activity and hopefully some of the housing would come back into the long term market.

For those that run **hosted** B&Bs there should be no change in the existing laws that allow this to take place for up to 4 guests at a time in your principle place of residence.

The money collected by the rating surcharge should be used to reduce rents in a "geared to income" rental scheme as below in point 17.

15. Lock up and Leave

Another issue in Nelson is the number of lock up and leave units that overseas visitors and people from other regions of NZ own in Nelson ... especially in the existing high rise apartments around the waterfront.

In some of the existing high rises the permanent occupancy is as low as 30% ... what is the point of building a bunch of six story apartments, in residential neighbourhoods that block out our sun ,if they are all bought up by offshore owners who only come here for a few weeks a summer ...??

These should also attract a rates penalty to discourage this practice if left empty for more than 4 months at a time there should be a rates surcharge so to encourage more units back in the local market to help solve the housing issue.

16. The Numbers?

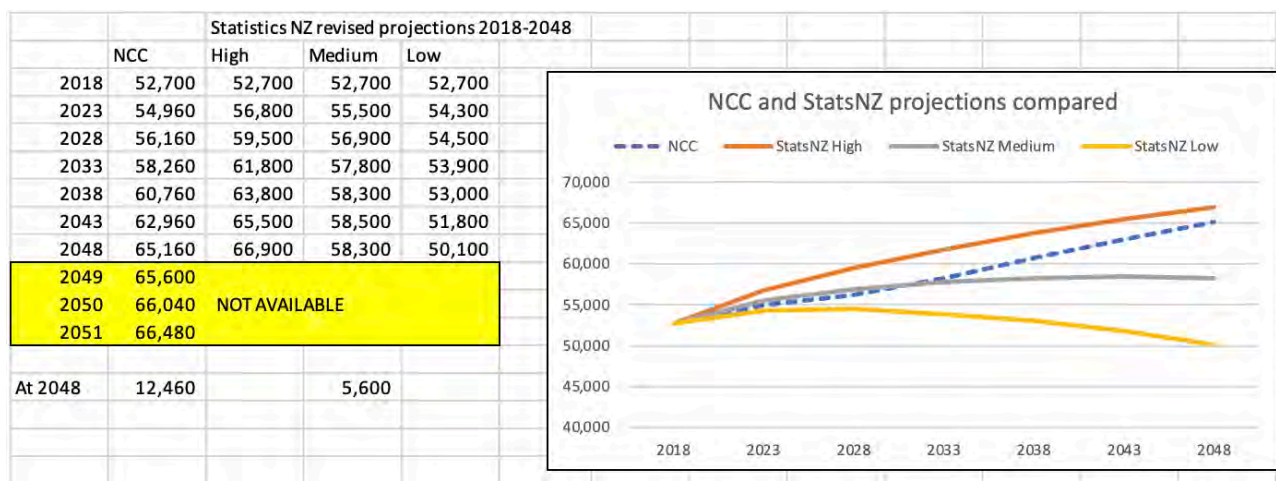
Why are NCC Planners using population numbers way higher that are require by central government , which only requires the medium of Statistics NZ.

So by 2048 we are having to intensify for an extra 7000 people. Why would we do that?

Nelson City Council Population projections				
		Statistics NZ revised projections		
	NCC*	High	Medium	Low
2018	52,700	52,700	52,700	52,700
2019	53,660			
2020	54,620			
2021	54,700			
2022	54,780			
2023	54,960	56,800	55,500	54,300
2024	55,080			
2025	55,200			
2026	55,520			
2027	55,840			
2028	56,160	59,500	56,900	54,500
2029	56,400			
2030	56,640			
2031	57,180			
2032	57,720			
2033	58,260	61,800	57,800	53,900
2034	58,760			
2035	59,260			
2036	59,760			
2037	60,260			
2038	60,760	63,800	58,300	53,000
2039	61,200			
2040	61,640			
2041	62,040			
2042	62,520			
2043	62,960	65,500	58,500	51,800
2044	63,400			
2045	63,840			
2046	64,280			
2047	64,720			
2048	65,160	66,900	58,300	50,100
2049	65,600			
2050	66,040			
2051	66,490			

*NCC projections start at 2020, NCC start at 2018. NCC figure for 2018 taken from NZStats

*2019 figure for NCC estimated by interpolation.



17. Noise control provisions for new houses within 100 m of State Highways

This a total cop-out to require people to have to hire noise control experts and install hung glass and specialty insulation to reduce noise need any state highway. It should be NZTA that are paving their road in appropriate quiet asphalt paving on any of their highways that are within the city limits. We should not let them off the hook so that they can use inferior 3/5 Chip Seal that is noisy and does not last ... If this zoning rule passes all existing residents will continue to suffer excessive noise and vibration from heavy traffic and cars on a roading surface that is not fit for purpose in a residential area.

The Solutions

18. Mini houses / Granny Flats

I think Nelsonian's should be encouraging to put small 2nd dwellings on their properties to act as accommodation for extended family or as a rental. There are lots of reasonable priced modular small transportable homes that can be craned into a preprepared foundation in you back or front yard. NCC should pass zoning regulations that make this easy to do and inexpensive but with the approval of the effected neighbours.

There should be funds available (from the targeted rates collected from #14 and 15 above) to help with the cost of this and for that the rents would be set at affordable or "geared to income amounts". This would help with the shortage of affordable rental accommodation.

19. High rise around the Port Hills only.

I think that six story high rise apartments should only be allowed in areas where it has minimal effect on existing residential neighbourhoods .

The best location for this is from the end of Halifax St behind Spotlight where the first project from the National's Special Housing Areas is finally starting to rise ... right around to the existing 3 apartments on Wakefield Quay.

This is the best position for these building with the "backs" to the hill and the fronts to the north and overlooking the port .

These could extend all the way round Haven road with only a couple of gaps for existing residential areas.

Auckland Point could be redeveloped as a new modern school wit 5 or 6 stories of social housing above "stacked"up the hill.

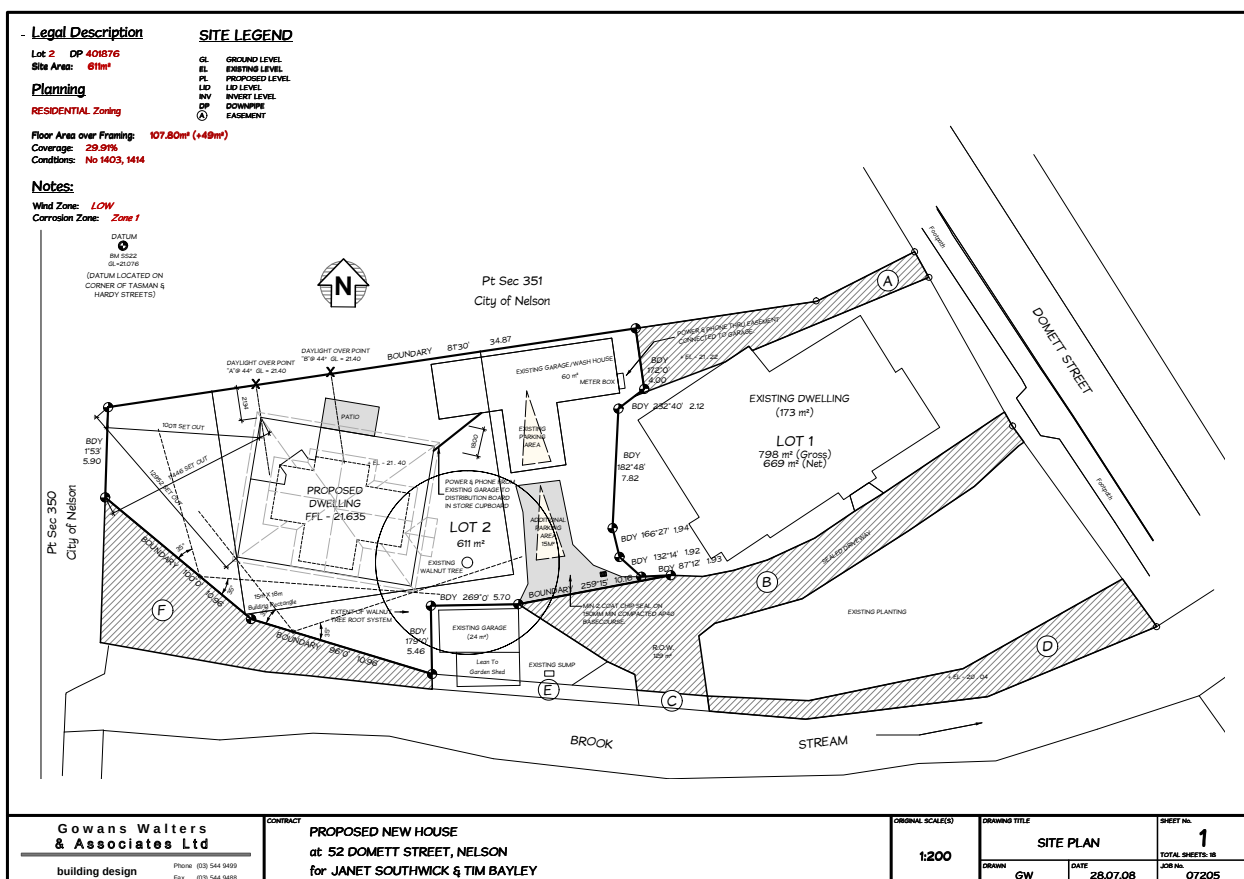
20. Increased density in the CBD

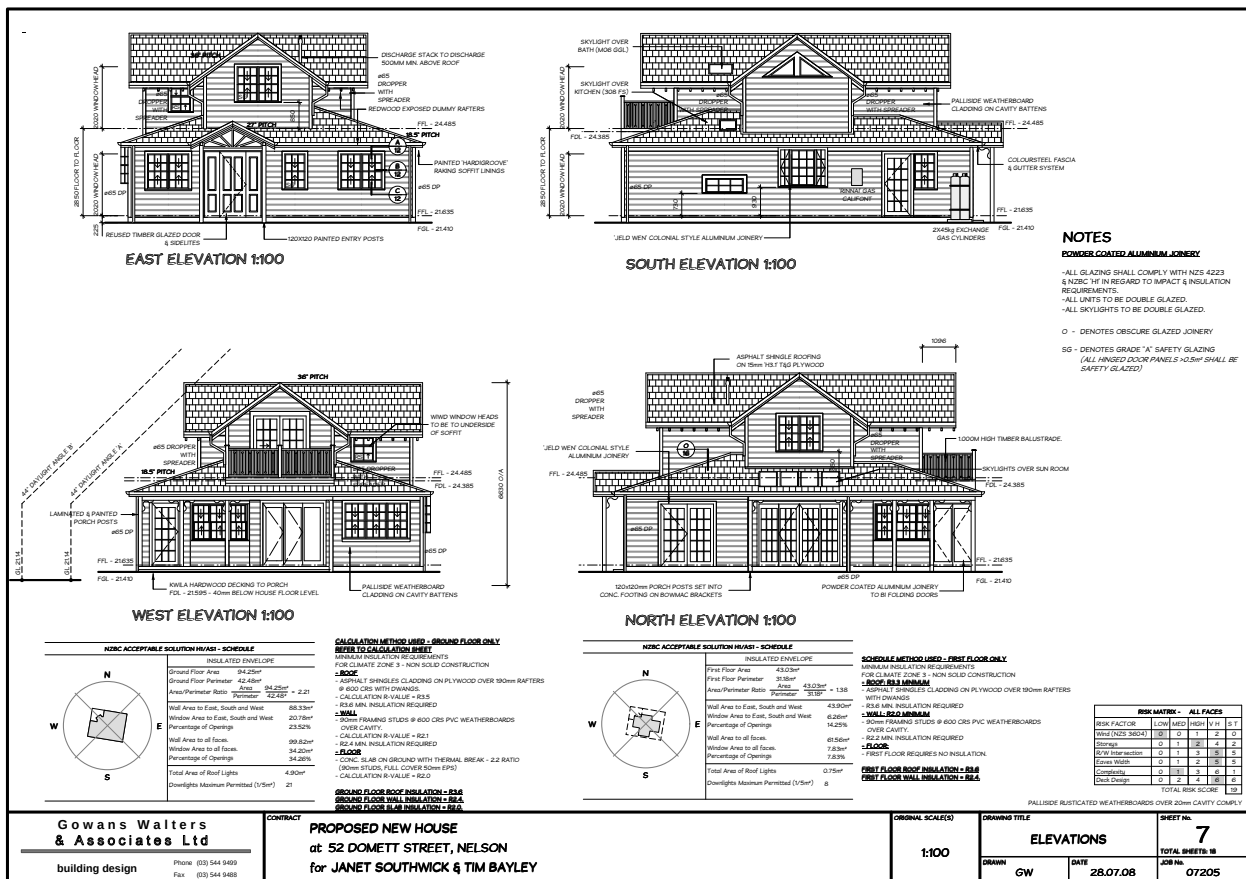
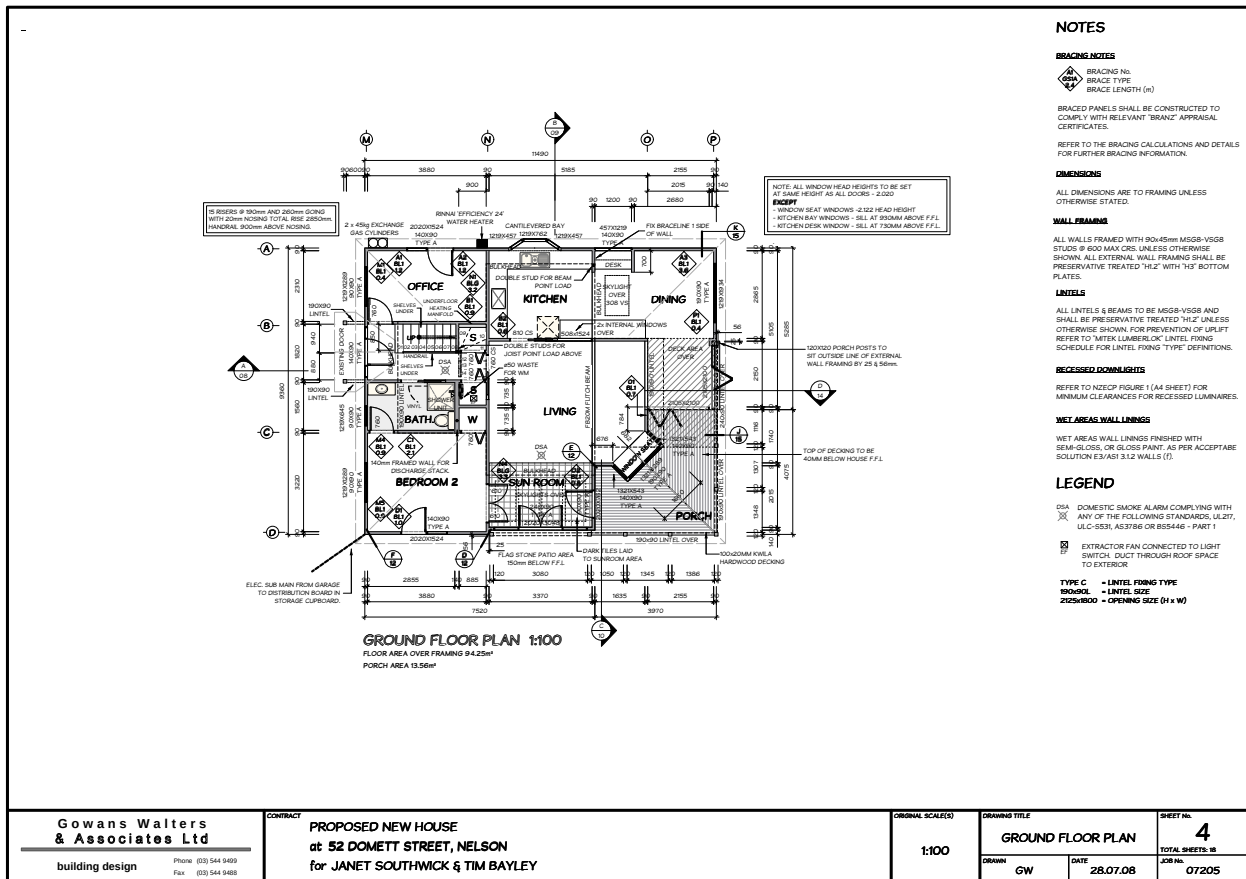
I think we should be building up within the CBD with residential above retail ... There is great opportunities of providing an anchor department store in Buxton Square with parking above followed by 3 or 4 floors of apartments. Close off the square to cars on 3 sides, North, South and West . have pedestrian mall on these three side with window displays from a ground floor Farmers (or similar) with an atrium in the middle with possible food court. Then have 2 levels of car parking in a ring around the outside of the building with the entry and exist on the Eastern end with the current lanes in and out. Then above that you have 3 or 4 stories of apartment with the atrium extended up so all have internal and external entries and lots of sunny balconies.

Allow and encourage other commercial landlords to add apartments above the exist or new retail on the ground floors .

21. Keep existing zoning in existing residential areas

It is quite possible to build within the exist recession planes and setbacks and create more density. There is no reason to go higher that 7.50 m's in height. We built our two story house at just 6.5 m high to the peak and the house is totally adequate and spacious at around 145 m2.







This is a great house live in , filled with sun and light but ALL this could be lost under Plan29 ... with anything from three townhouse to a 6 story apartment just 1m from our northern boundary.

So this is my submission ... I could go on and on ... but I WANT MY LIFE BACK !
I want you to listen to your constituents and hear just what they have to say about this untaught out Plan Change 29 .

Yours Tim Bayley (electronic signature)
52 Domett St
Nelson
027 454 5823
baywicks@xtra.co.nz

Included with this submission is
the **Brook Flood Plan** by Tim Bayley

The Brook Flood Model

- as Per Plan Change 29 - 5th October 2023 by Tim Bayley

I would like to draw the council's attention to a serious anomaly with the Flood Hazard Maps for the Brook Stream as prepared by Tonkins & Taylor that is used in the overlays for Plan Change 29.

As a resident of Domett Street, being along side both the Maitai River and the Brook Stream, for the past 26 years we have observed these waterways closely in both drought and flood conditions.

The biggest of these weather events being 17th to 20th August 2022.

During this flood the Brook Stream came over the wall at the back of our property, 52 Domett Street, three times.

To set the scene of what happened over the 3 + days of the big flood back in August of 22

Over the next 4 pages we have included a series of pictures of the rivers normally and in full flood on the Wednesday the 17/8/22 in the late afternoon. Our house, below, sits on the last bend in the Brook Stream before it exits under the Domett St bridge into the Maitai River.





#1A - The Maitai River from Domett St bridge - looking downstream - normal flow



#1B - The Maitai River from Domett St bridge looking downstream - FULL FLOOD



#2A - The Maitai River just upstream of Domett St bridge - normal flow



#2B The Maitai River just upstream of Domett St bridge - in FULL FLOOD -17/8/22



#3A - Brook Stream - from 155 Nile toward 52 Domett St - normal flow



#3B- Brook Stream - from 155 Nile toward 52 Domett St - in FULL FLOOD -17/8/22



#4A - Brook Stream - looking down to Domett St bridge - normal flow



#4B - Brook Stream - looking down to Domett St bridge - in FULL FLOOD -17/8/22

As you can see in this picture the Brook Stream is flowing over the edge of the concrete channel and into the grounds of Wainui House at 155 Nile St.

At this time the Brook Stream was flowing at **30** cumecs and the Maitai River was running at it's biggest volume in the last 40+ years at **330** cumecs at Avon Terrace (- some 300 cumecs just above it's junction with the Brook) - see the cross-section of the river page 11



#5A - Brook Stream - close up of the Brook showing the normal opening under the Domett St bridge around 15m W x 3 m H



#5B - Brook Stream - close up of the flood running under the Domett St bridge - with only around 15 cm of clearance . The height of the underside of the bridge is just under 8 m from Nelson datum.

Due to the extreme level of the Maitai River, the Brook Stream, as it exits at the Domett St bridge, was almost at full capacity, as shown in the photo #5 on page 6 above, with just 15 or so centimetres of clearance left under it. The Brook had slowed to almost a crawl due to the back pressure from the flooded Maitai .

The Brook was at a 30 cumecs of flow at this time....

the normal size of the main channel is 2.9 m deep x 12 m wide = ~35 m² in area ...

so the speed of the Brook with this flow is just under 1 m/sec ...

Quite slow, - So with this flow or bigger in the Maitai River, the Brook Stream has a very restricted outflow under the Domett St bridge of just around 30 to 35 cubic metres per second. It can't take any more capacity ...

But the predicted flows for the big 1% 100 year 2130 flood are estimated, by Tonkin & Taylor in their flood plain modelling, as **568** cumecs for the Maitai River and **97** cumecs for the Brook Stream respectively as shown on the two tables below.

Predicted river flows:

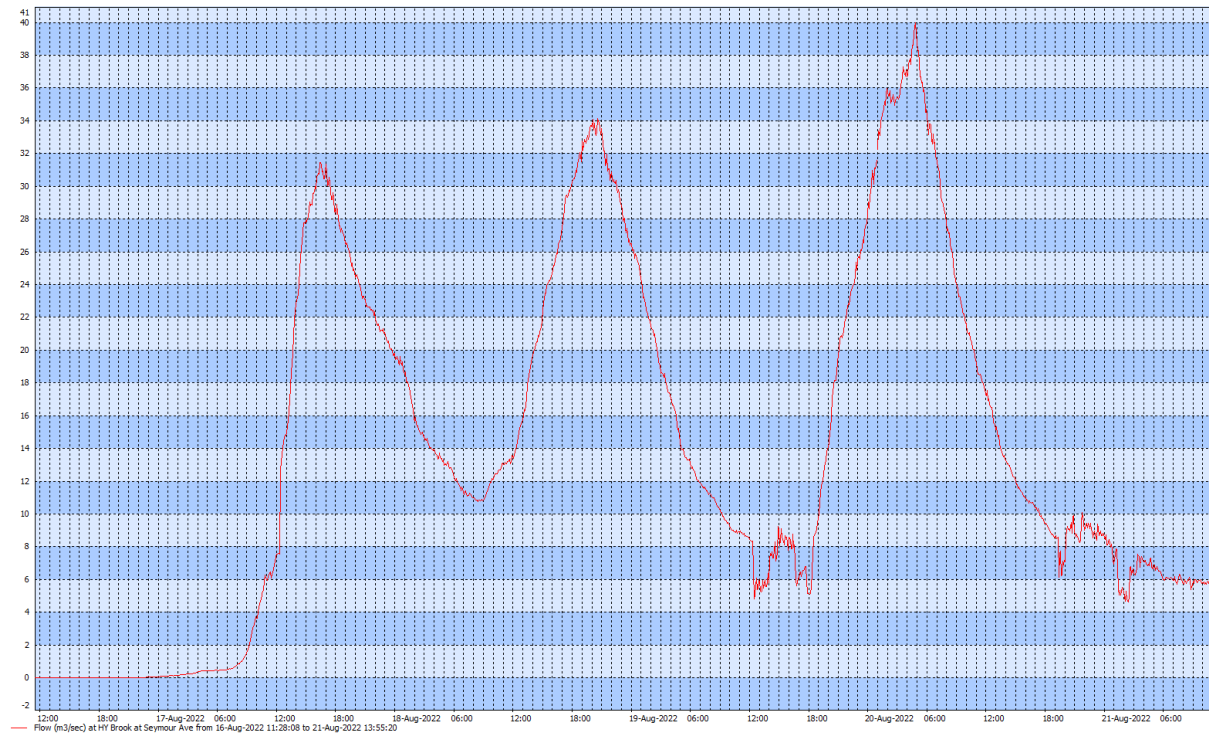
Maitai River at Avon Tce.

Scenario	Location	Peak discharge (m ³ /s)
5% AEP storm, Present day	Maitai 13900	276
2% AEP storm, Present day	Maitai 13900	348
1% AEP storm, Present day	Maitai 13900	401
1% AEP storm, RCP 8.5M climate change scenario to 2130	Maitai 13900	568

Brook Stream at Seymour Tce.

Scenario	Flow at Seymour Tce gauge site (Ch4009, model version MaiBkYk_202103v016) m ³ /s
Present day 5% AEP (20 year)	43
Present day 2% AEP (50 year)	56
Present day 1% AEP (100 year)	67
2130 RCP8.5M 1% AEP (future 100 year)	97

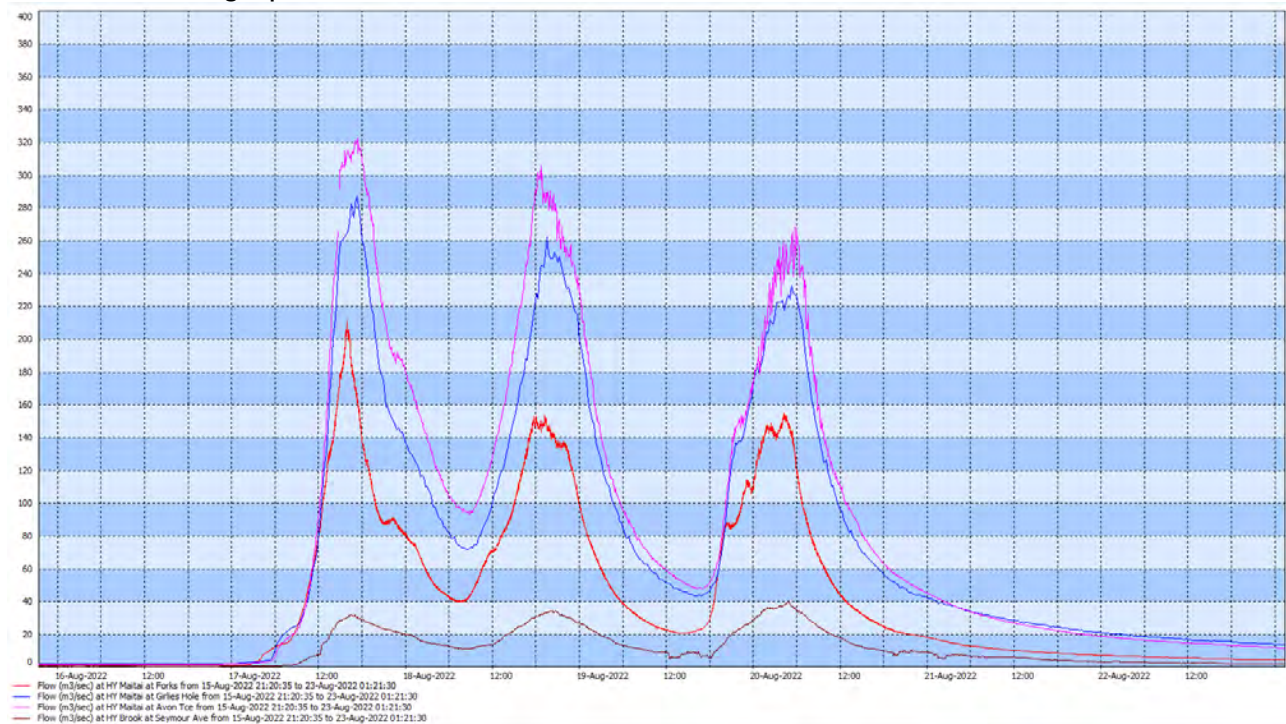
The graph below shows the Brook Stream peaks over the 3 days of the August event



This clearly show that the Brook Stream was only running at **30 cumecs** (just a ~10 year event) at around 4.30pm when the Maitai River was running at **330 cumecs** (so ~300 cumecs just above the Domett St bridge.) (which was an almost 50 year event ie 2%)

The Brook then increased in flow for each of the following 2 days of the event ... to 34 cumecs around 11 pm on Thursday and then peaked at 40 cumecs around 6 am on Saturday morning (at just under a 20 year event ie 5%)

The Maitai River ran strongest on the Wednesday and less on the following 2 days as can be seen in this graph



At Avon Terrace it ran 322 cumecs on the Wednesday the 17th, 305 on the Thursday 18th and 270 on Saturday morning, the 20th, so getting smaller peaks each day.... whereas the

Brook Stream was increasing in flow each peak - 30 cumecs on the Wednesday , 34 on the Friday and 40 on the Saturday morning.

ALL of these peaks came over our back river wall and into our garden but because the Maitai was down to around the 300 cumec on the second day and 270 on the third, the Brook Stream had no issue getting out under the Domett St bridge and therefore did not flow over the wall into Wainui House as had happened on the Wednesday afternoon.

So once the Maitai River gets to around the 320 mark it fills up the complete area under the bridge available for the Brook Stream to flow out of and as the Brook is a mere minnow compared to the mighty Maitai, it's exit is severely restricted.

- In this flood the Brook was running at around 1/9th of the Maitai flow.

The Maitai River's peak for a 1% 100 year present day flood level is predicted at 401 cumecs which means it will be 20% higher than the August 17th event.

The map below is the flood model overlay that NCC planners are using for Plan Change 29 ... the main blue colour area is the 1% 100 year present day flood of some **67 cumecs** for the Brook Stream ... the dark and light blue squares are for the 1% future 2130 100 year flood some 97 cumecs.... **the red line** is the observed flooded area from the August event on the Wed when the Brook was just flowing at **30 cumecs** but was blocked from exiting under the bridge to the Maitai ... this is 37 cumecs less flow than the predicted blue

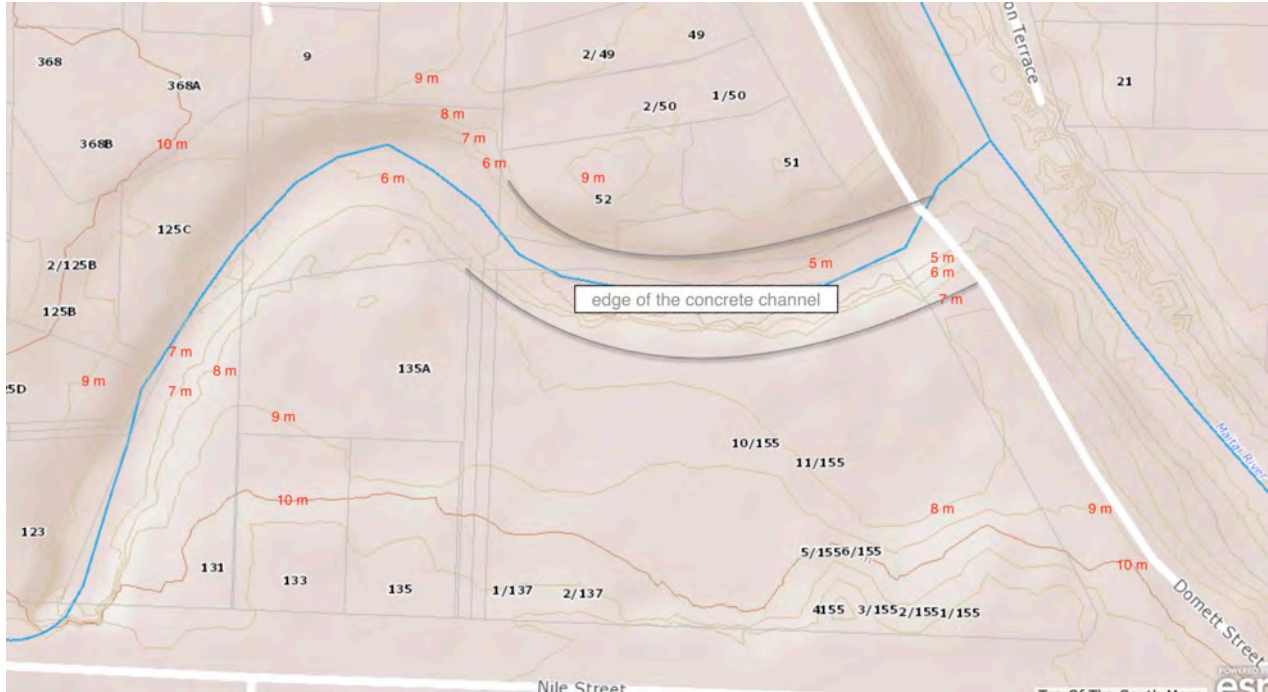


flooded area. We would contend that this map was done assuming the Maitai was at a normal flow. of just a few cumecs and all the watering the Brook could get under the bridge.

But this quite small, 10 year, event in the Brook covered most of the 1% present day flood and some of the future 1% - 2130 flood ... In the future 2130 scenario the Brook Stream

will be running at **97** and the Maitai River will be at a massive **568** cumecs ... some **240** cumecs more than August event.

So the Domett St bridge will only allow **30 to 35 cumecs** when the Maitai is in a flood state that is bigger than **320 cumecs!!**



Where is **the missing 60+ cubic metres a second** of water going to go? (97 cumec flow less 35 max exiting under Domett St)

Potentially one can assume the main river would be substantially higher than in the August event ... blocking the bridge completely and possibly coming over it ... in so doing would limit the outflow of water from the Brook Stream even more ...

As you can see from the map above the land around Wainui House (155 Nile St) is pretty flat with the edge of the wall being the ~8 m contour so the area to the 9 m level is around 3000 sq m **but at 60 cubic metres a second this would fill in LESS THAN A MINUTE !!**

The next metre in height takes you out to upper Domett St street and all the way over to Alton St. and across Hardy St. at NMIT **so all of this land has the potential to flood** as this water can't get out of the Brook Stream any other way other than to flow straight ahead at the last big bend through 50, 49, 47A and 45A and 45 Domett St. out to Hardy St, also it may just flow straight down Barrington Way as this is also on the 9 m topographic line....

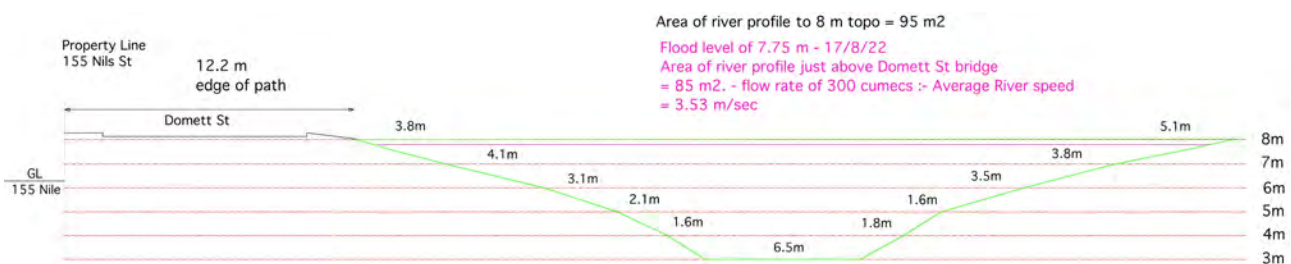
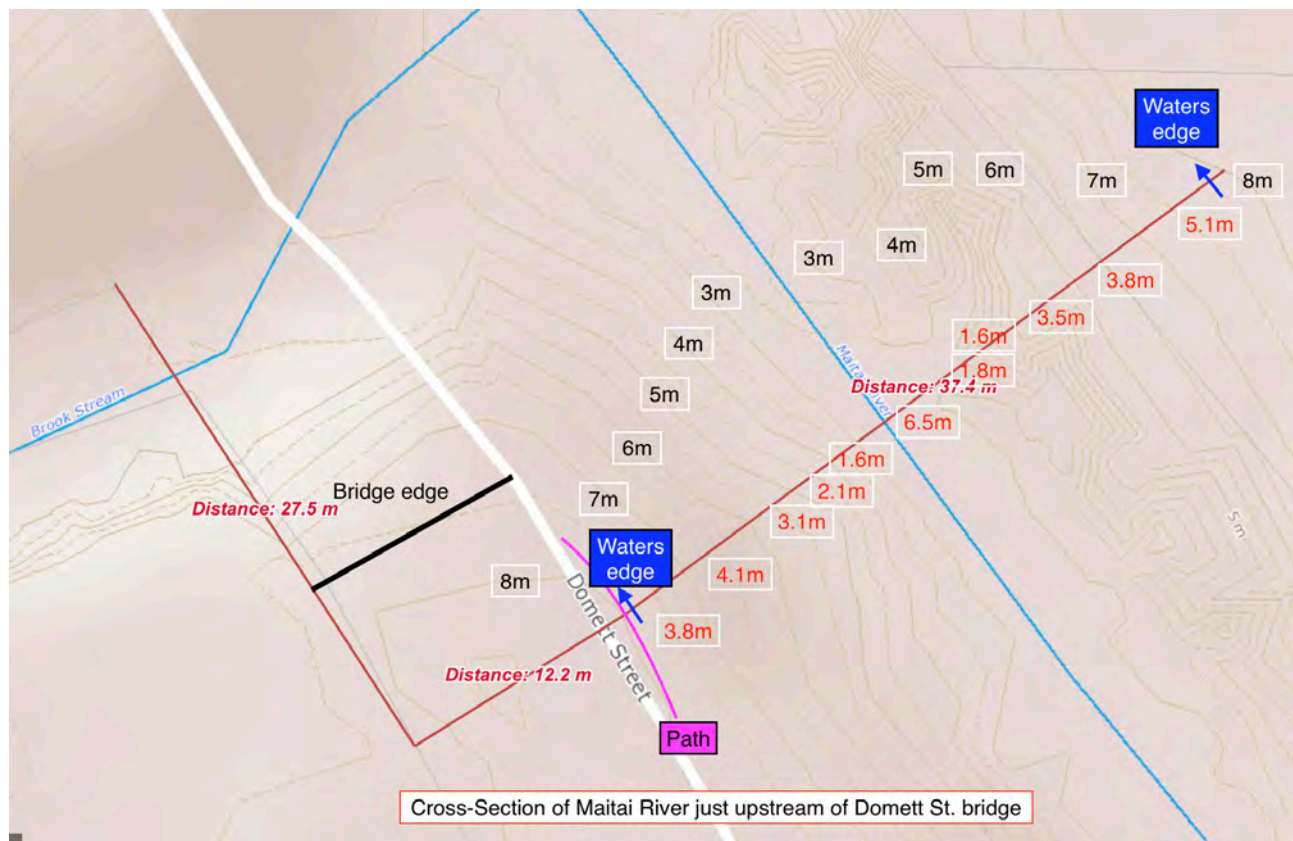
IN conclusion we would contend that the existing flood mapping for the Brook has been wildly under estimated and this whole block may be flooded in the next big one if the Brook and Maitai peak flows coincide, which is most likely in a major storm event.

We were lucky back in August that this did not happen as when the Brook Stream was at 40 cumecs, the river flow was uninterrupted at the bridge ...and it could get away ...

We measured the cross-section of the river above the Domett St bridge to compare with locals as to where the August flood came to.

The flood level on the 17th August last year, at 330 cumecs, was at the 7.75 m level which is just 15 cm below the underside of the Domett St bridge. (see picture #2B)

So with 568 cumecs where will the level be ?? the extra 238 cumecs at 3.5 m/sec would require 68 m wide at full flow at 1 m deep ... - There is no way you can get this flow here as you have roads , trees and houses... Long before the river got to this flow rate it would



flow over Domett St. at the rubbish bin and then flow directly into Wainui Houses lower back yard compounding the issues for the Brook Stream flow ...

Conclusion - the flood maps for the Brook Stream, as prepared by Tonkin and Taylor, ... are wildly inaccurate and misrepresent what would actually happen in a 50 to 100 year flood event for the block bounded by Nile, Hardy, Tasman and Domett streets and this area

should be removed from HCZ and be included with the lower half of Domett/Tasman in the Residential Comprehensive Area .

The photo below shows the observed level of the floodwaters on the 17th August 2022 at 12 Tory St which is directly across the river on the end of the cross-section on page 7. Around 3/4's of a meter higher and the water would have been flowing around the house and out onto Tory St.



This photo shows the observed flood level at 164 Nile St just above the Nile St bridge . An increase to the 1 in 100 flow rate of 401 cumecs would see the water flowing over the lower end of the bridge and flowing down Nile St and into Tory street



The below picture shows the predicted extent of flooding with the Brook running at 50 year or above event when the Maitai is also running at 50 year and above event.



There are some other major issues:

1. Is that during a flood, of this nature and duration, the channel that the Brook flows along fills with gravel just after the last bend by our house at 52 Domett St ... so goes from a "clean" max area of 35 sq metres to just 20 sq metres thus further restricting the flow ... This means with the Domett St. bridge blocked by the Maitai River in full flood ... the channel upstream of the bridge will only have capacity for some 20 to 25 cumecs of flow, further compounding the issues.
2. The entrance to the culvert under Nile st is just 20 square metres in area and at 97 cumecs this means that water must be flowing here at ~ 5 m/sec ... which is pretty fast for a section of river that immediately turns 90o right under Nile St the exit is double the area which is fine but **will the water get in here without overflowing** through the round-about and straight down Tasman St? So all of Nile St could be flooded along with Tasman St and the two block north of Nile St.

3. Tonkin and Taylor have made the Kainga Ora development at 107 Nile St build up 700mm off the existing ground level due to the possibility of flooding from the Brook ... now whether this comes from the “under” Nile St. culvert being too small and overflowing or from the Brook not making the bend downstream of Manuka St is irrelevant as most of both of the blocks north of Nile St will then be inundated, as will 3/4's of the Wainui House site at 155 Nile St.

Entrance ~ 20 m²



Exit ~ 40 m² in 3 channels

