PC29 Presentation

Jonathan Chambers

28/08/24

PC29 is Unsalvageable

- Misaligned intention
- Ideological echo-chamber
- Inadequate / untimely consultation
- Painful roll-out
- Lack of transparency / misleading information

=>ZERO TRUST IN COUNCIL



“INTENSIFICATION”

- 2020 NPS-UD
  - Intensification was never a legal requirement for Tier 2
- 2024 Going for Housing Growth (GfHG):
  - Councils prohibited from imposing rural-urban boundaries
  - Intensification in the right places – Tier 1
  - MDRS optional
- Nelson CBD completely underdeveloped

“INTENSIFICATION”

- Inappropriate guiding principle for Nelson
- Disassociated from the status-quo
  - PC29 = Zero respect for ratepayers / homeowners
- Growth is not the problem
  - CBD utterly underdeveloped
- Ideological Capture is the problem
  - Big Ideas untethered from physical reality
    - The Sun’s path has not changed
    - Our dependency on direct sunlight has not changed
  - Dangerous and divisive
    - PC29 has felt like a top-down assault
    - Contributed to an Environment of Distrust

How easy will it be to build six storeys?

KATIE TOWNSHEND

For those living in proposed new high-density zones, Nelson City Council's Plan Change 29 is a daunting document.

Opponents to the plan have likened it to daylight robbery, warning of developments cropping up without any need for resource consent.

Under the proposed new rules, there would be three residential zones: the general residential zone will allow up to three residential units of up to two storeys, or 8m, tall; medium density would allow up to three units of up to three storeys, or 12m; and high density up to three units of up to six storeys, or 19m.

The biggest fear is around the six-storey buildings, with many people concerned one could be built next-door without so much as a heads-up before the builders move in.

That was a possibility in a black-and-white world, but in reality the rules were a lot more grey, council's senior planning adviser Coralie Barker said.

There are 185 planning rules a developmenthas to meet, and much of it will come down to the site being built on.

"What you can build on a site is really, really dependent on the site that you have available to you."

Those 185 rules are particularly important when it comes to the six-storey buildings.

One rule was a maximum of three units per site — so three homes.

Any more triggers the requirement for a resource consent. Realistically, any six-storey development will be more than three units to make it financially viable for a developer.

"It's likely that the six-storey building is going to need resource consent for that rule alone," council group manager environmental management Mandy Bishop said.

And that's just one rule — fail to meet any of the rules, and it will require a resource consent. That includes things such as the amount of the site covered by the building — for six-storey buildings it is a maximum of 50% — and whether there are any natural hazards impacting the site.

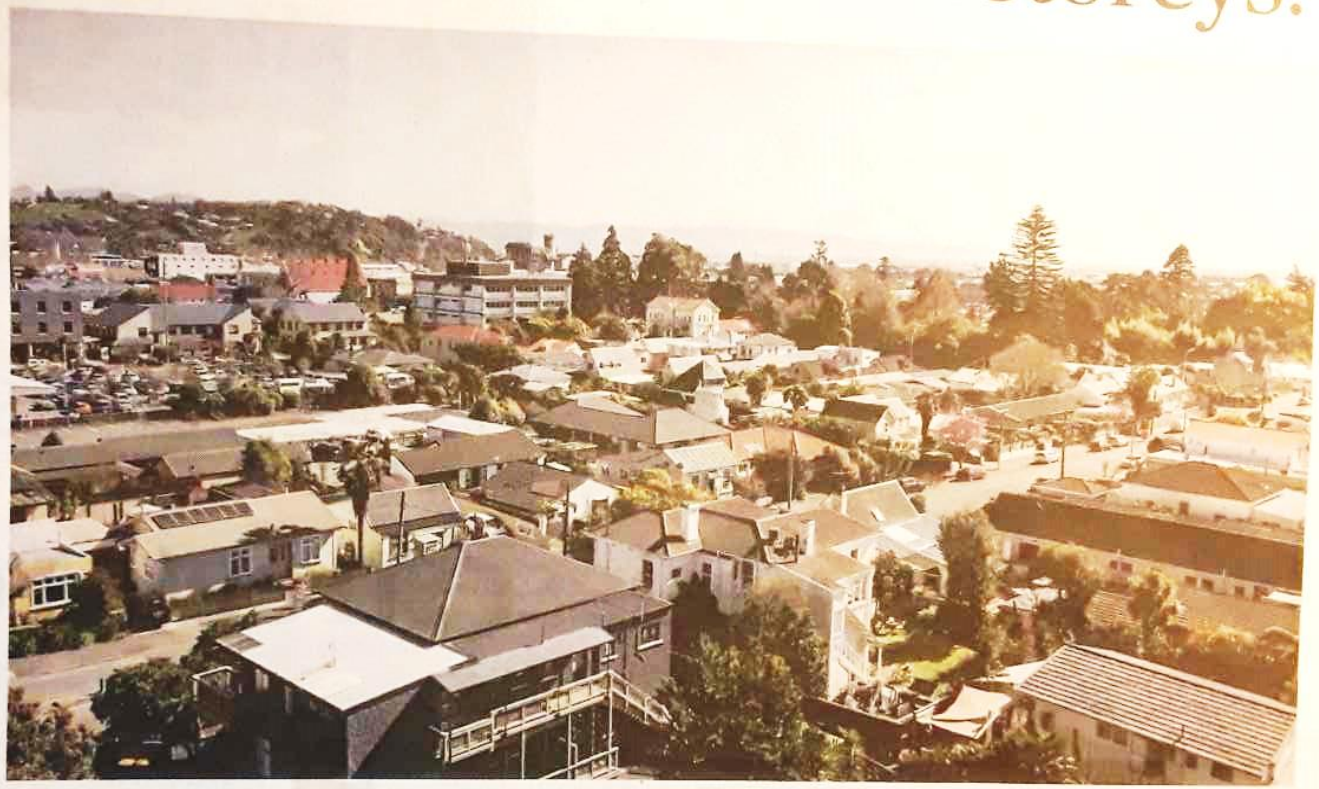
Also, the distance from the boundary, and how much of the building is at the maximum height, as the design is required to get shorter towards the back of the property to protect daylight angles for neighbours.

The planners point out that many factors come into play when looking at the impact on the daylight for neighbouring properties. For starters, the sun moves.

"The impact from a building changes throughout the day and throughout the year," Barker said.

"So the shade impacts that the building will have really depends on the orientation of the site. And whether it's flat or on a hill, what direction that hill faces, and the severity of the shade changes as well."

The rules in the plan change protect a property's right for access to daylight between 10am and 2pm in the middle of winter – the darkest time of the year and therefore when a development's impacts would be most extreme.



Areas like parts of Nile St would be in high-density zones under Plan Change 29.

BRADEN FASTIER/STUFF



The biggest fear is around six-storey buildings, with many people concerned one could be built next-door without so much as a heads-up before the builders move in….

One rule was a maximum of three units per-site – so three homes. Any more triggers the requirement for a resource consent…..

"It's likely that the six-storey building is going to need resource consent for that rule alone," council group manager environmental management Mandy Bishop said.

Correction:
Non-notified resource consent…



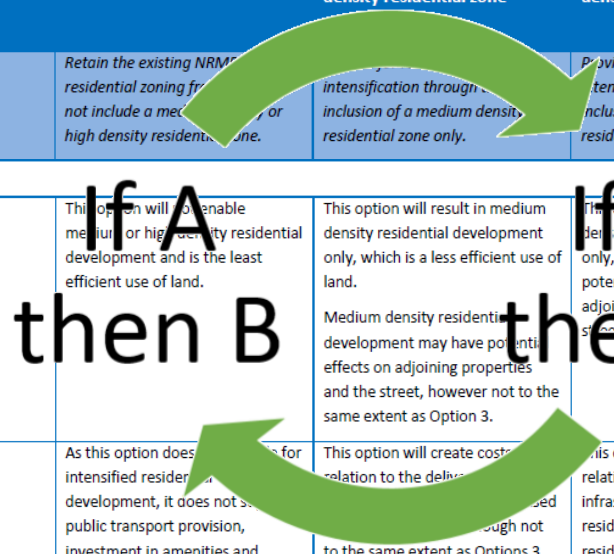
“The rules in the plan change protect a property’s right for access to daylight between 10am and 2pm in the middle of winter”

Section 32 Report

- Based on Circular Logic
- Inadequate consideration of actual Environmental and Economic impact to existing residents

Table 25 - Issue 1: Inclusion of Medium and High Density Residential Zones - Evaluation of Options

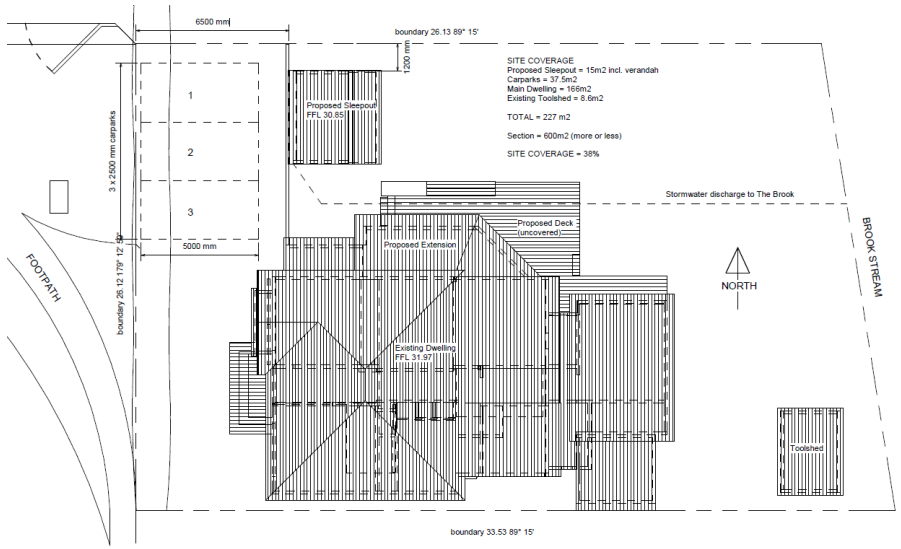
	Option 1: Status quo	Option 2: Include a medium density residential zone	Option 3: Include a high density residential zone	Option 4: Proposed Plan Change – Include general, medium and high density residential zones.
Description of option	*Retain the existing NRMD residential zoning fr... not include a me... or high density residenti... one.*	*intensification through ... inclusion of a medium densit... residential zone only.*	*Provide for residential ...tensification through the ...nclusion of a high density residential zone only.*	*Provide for residential intensification through the inclusion of general, medium density and high density residential zones.*
Costs				
Environmental	This option will not enable me...ium or hig...ity residential development and is the least efficient use of land.	This option will result in medium density residential development only, which is a less efficient use of land. Medium density residenti... development may have po...nti... effects on adjoining properties and the street, however not to the same extent as Option 3.	This option will result in high ...ity residential development only, which has the greatest potential to generate effects on adjoining properties a... the st...	This option will result in medium and high density residential development which has the potential to generate effects on adjoining properties and the street, though not to the extent as Option 3.
Economic	As this option does ... for intensified reside... development, it does not s... public transport provision, investment in amenities and infrastructure, and the vibrancy of	This option will create cost... relation to the deliv... ...sed ...ugh not to the same extent as Options 3 and 4. However, the residential	...is option will create costs in relation to the delivery of infrastructure to service increased residential densities. However, the residential areas close to the city centre where increased densities	This option will create costs in relation to the delivery of infrastructure to service increased residential densities. However, the residential areas close to the city centre where increased densities would be provided for are already well serviced by

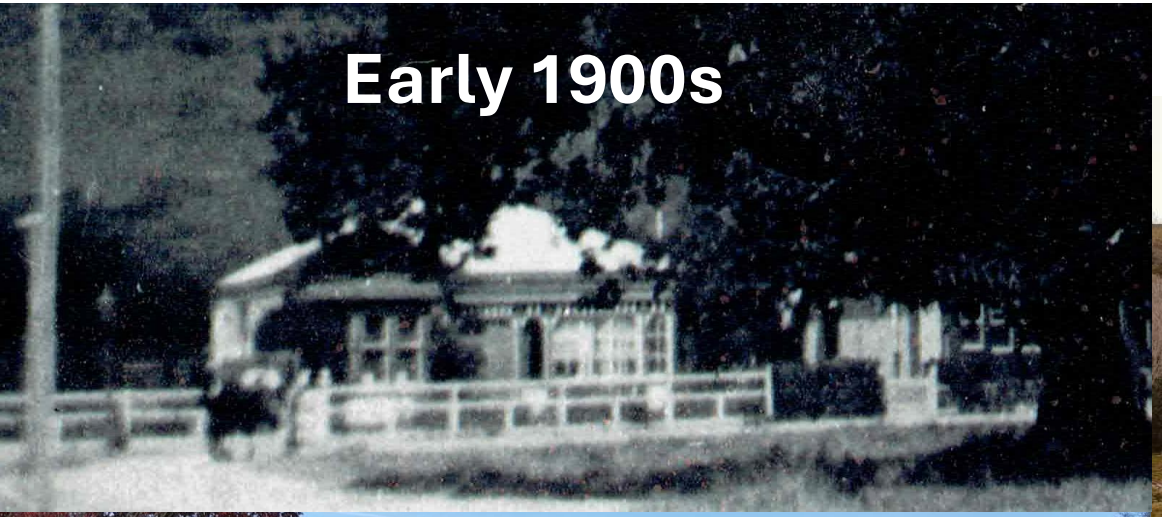


Case Study – 13 Seymour Ave

- Compact site
- Northern aspect
- Edge of Heritage Precinct
- Lovingly redeveloped:
  - Restored heritage fabric
  - Modern living optimised for sun
  - Sun Trap
  - $$$$ spent over 8 years
  - (Zero support from Heritage Fund)






Early 1900s


ENY340
2018

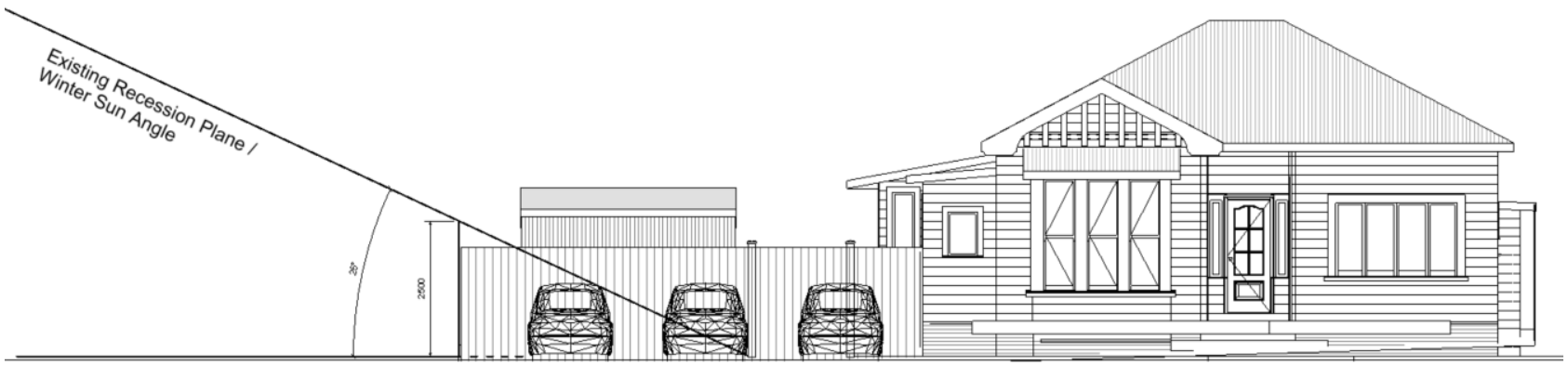

2024

DIRECT SUNLIGHT

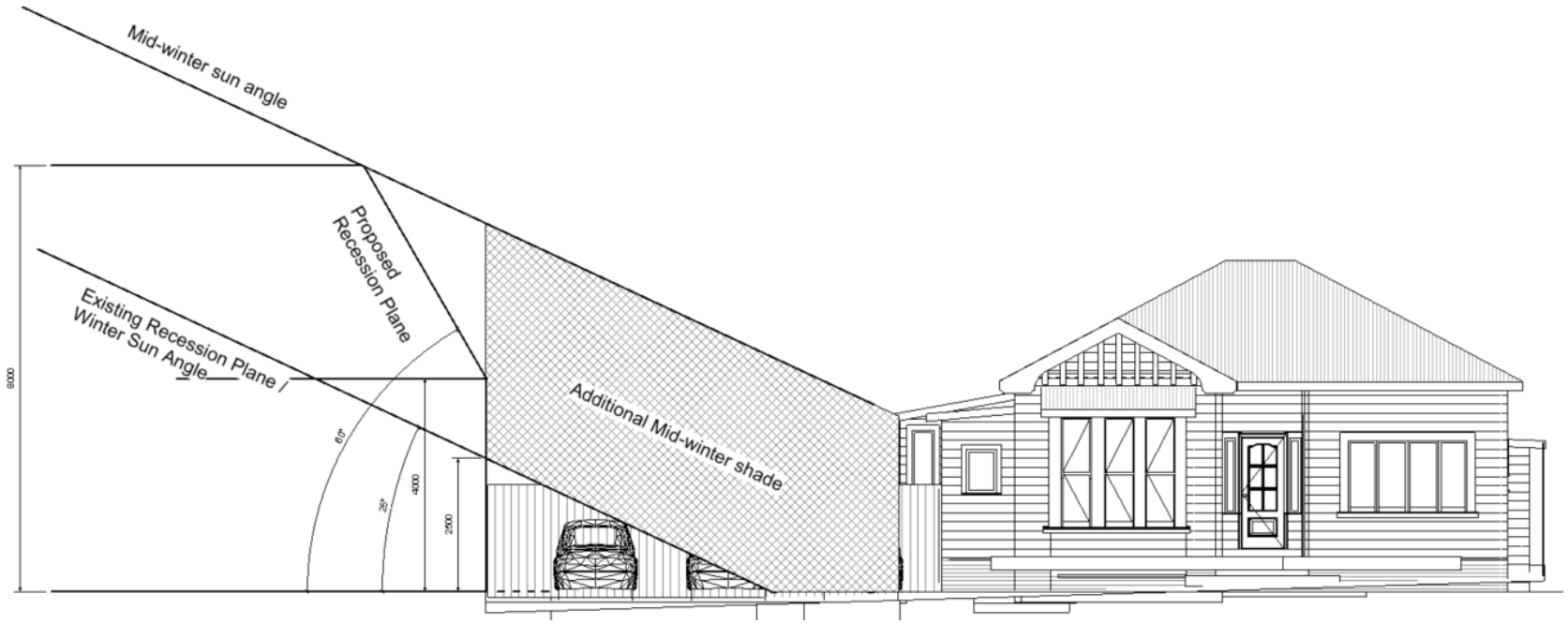
- A key reason we:
  - Relocated to Nelson
  - Invested in this property
- Essential Natural Resource
  - Passive heating
    - Reduced energy consumption
    - Work from home situation
  - Growing food
  - Yard for kids
  - Dry our washing
  - Health and Wellbeing



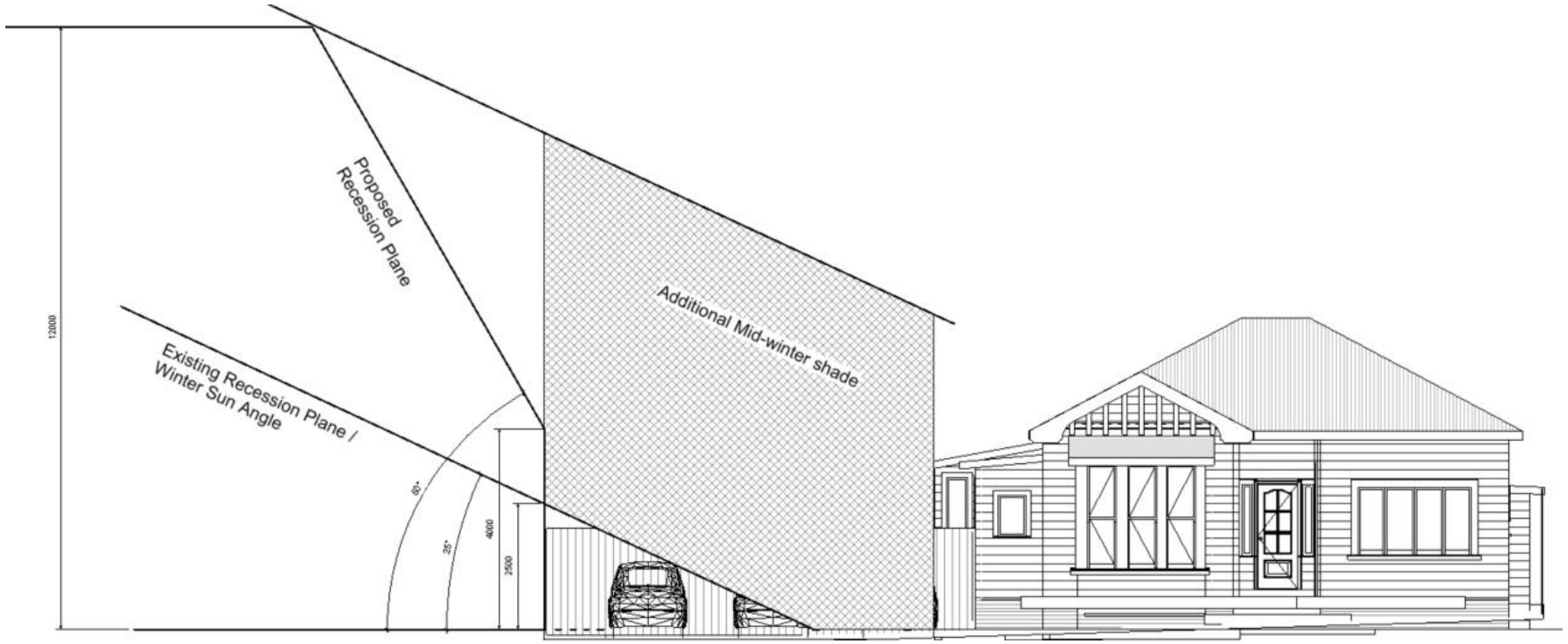
Existing daylight admission / recission plane
2.5m + 25°



PC29 recession plane – MRZ + adjoining heritage object
4m + 60°, 8m max

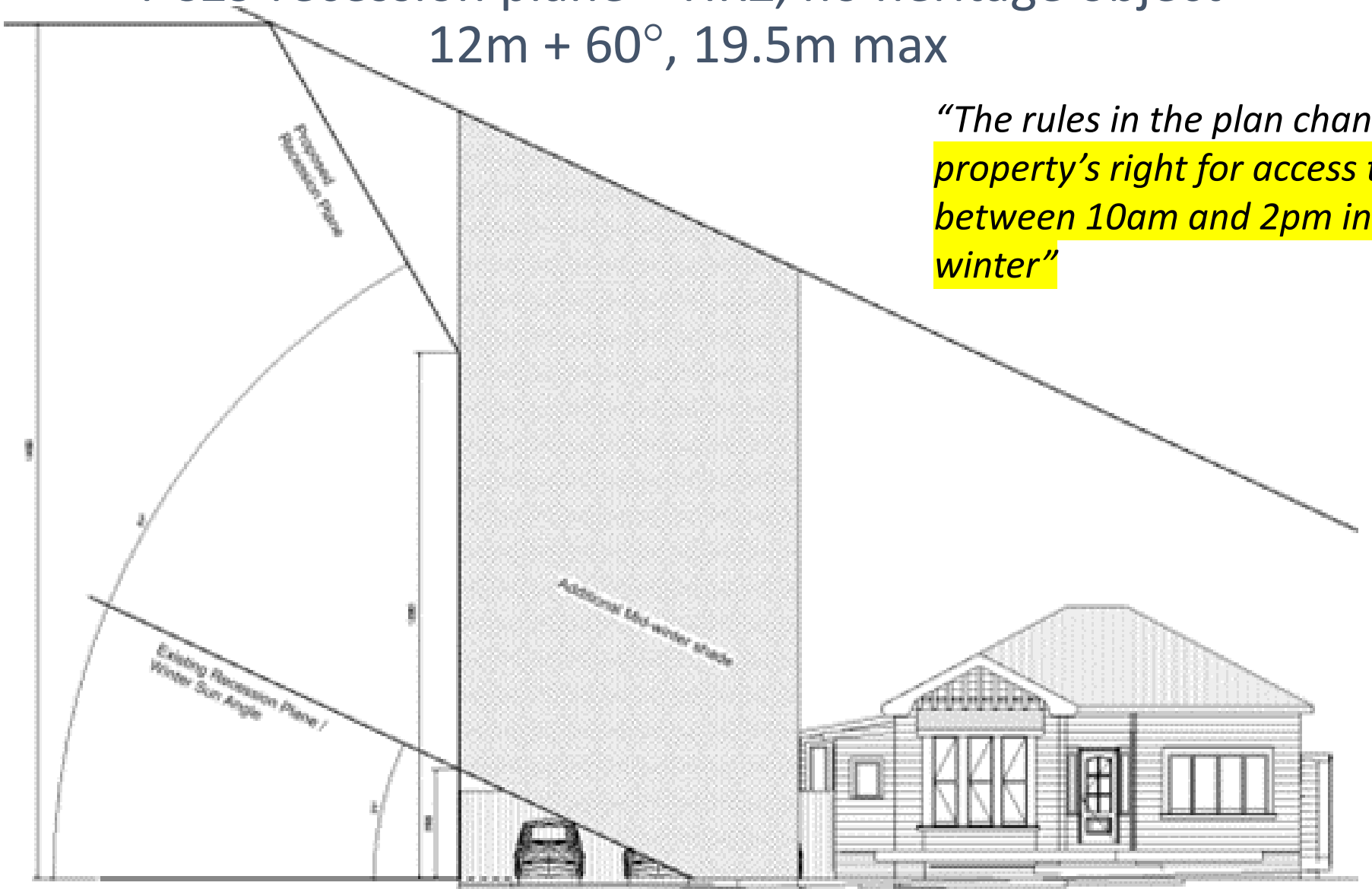


PC29 recession plane – MRZ, no heritage object (hypothetical)
4m + 60°, 12m max



PC29 recession plane – HRZ, no heritage object
12m + 60°, 19.5m max

"The rules in the plan change protect a property's right for access to daylight between 10am and 2pm in the middle of winter"



CONCLUSIONS

- Direct Sunlight:
  - Critical Natural Resource
  - Existing rights must be protected
  - Reallocation without permission = Theft
  - Direct negotiation / compensation
- PC29 / Intensification
  - Severely misaligned with Nelson's Ethos
  - Zero respect for existing ratepayers / residents
- We do not give you permission to modify the existing daylight admissions in Nelson's existing residential suburbs