SUBMISSION TO NELSON CITY COUNCIL PLAN CHANGE 29

FROM AINSLIE RIDDOCH **31 October 2023**

ainslieriddoch@yahoo.co.nz

I reject Plan 29 in its current form because I do not believe it takes into account individual area characteristics and risks and should be designed for smaller individual areas taking into account the particularities of localities.

The Plan appears to be broad brush without taking into account land risks from natural hazards such as slippage and flooding etc. For example, as I understand it, the Tahunanui Slump was originally included as being suitable for high density development, which shows a lack of care and knowledge. This has of course been removed after protest from residents but is an example of a lack of detailed planning and forethought.

I do not believe that Nelson needs such a radical amount of density as is proposed in the Plan. I understand that we need to provide additional housing but I believe there are ways to achieve that without creating large areas of 6 storey buildings which are out of character with Nelson. The central city should include more residential but should also make use of existing buildings and new builds up to a maximum of 4 storeys – the Rutherford Hotel for example sticks out like a sore thumb and is inappropriate pitched against the Cathedral.

I also do not believe that residential neighbourhoods should have up to 4 storey developments right up to neighbouring boundaries without consent and as of right. This takes away the rights and ability of Nelson residents to receive sunlight and privacy in their homes and properties. The current Consent process is too complicated, expensive, and time consuming causing unnecessary delays and expense for even small projects, and this should be revamped to streamline it so that it is not such a burden, but still to retain the ability of neighbours to have input into developments adjacent to them.

Housing intensification is not a bad thing per se but should be designed to allow Nelson to develop in a harmonious and attractive manner, both for residents and visitors. Nelson is a lovely city and does not deserve to be spoilt with unplanned, badly designed and sited developments. They need to retain and enhance the characteristics of the City and its residents and not be the overriding principle at the expense of the beauty of our City and its neighbouring suburbs – Nelson's character and beauty are its main drawcards for both visitors and incoming residents. Unplanned and badly designed developments could spoil our City and decrease its attractiveness to increased population if that is the desired outcome.

I consider that this Plan change is of such great importance to our City and its residents that it needs further consideration by both Council and residents to achieve a result that ensures our City goes into the future in the best possible way without ad hoc inappropriate development.

RMA Submission Form for Publicly Notified Plan Change 29 *Housing and Hazards*

Nelson City Council
Te Kaunihera o Whakatū

OFFICE USE
Submission No: S883
Date Received Stamp: 31/10/2023
NDOCs No: 539570224-18162

31 October 2023

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

Submitter Details

Full Name	---
Organisation	Margaret Whiting and the Anmar Trust
Contact Person	Mark Lile
Postal Address	Landmark Lile Limited, PO Box 343, Nelson 7040
Mobile Phone	
Email	mark@landmarklile.co.nz

Trade Competition

I/we **could not** gain an advantage in trade competition through this submission.

Council Hearing

I **do** wish to be heard in support of my submission.

I would **not** be prepared to consider presenting my submission in a joint case with others.



.....

Signature of Submitter
(or authorised person)

Dated: 31 October 2023

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 submissions and the relief sought are as follows:

Submission

This submission is from Margaret Whiting and the Anmar Trust as joint owners of the land at 11 Vivian Place, Tahunanui. This is land located in the Industrial Zone and is developed for that purpose. There has no experience of any flooding effects.

Finally, careful consideration has been given to the changes to the natural hazard overlays in terms of flooding. Based on past and recent experience, the flood modelling has not provided an accurate assessment of actual risks. Because of this, this submission is opposed to the new flood modelling and challenges their accuracy. It is crucial that all natural hazards have a sound basis given the stigma attached, and the additional costs associated with development and insurance.

Along with these reasons, the following table identifies the particular provisions in PC29 that this submission relates to:

Planning Maps		
	Overlays	**Support/oppose**
Map	***Flood Hazard Overlay and High Flood Hazard Overlays***	**Oppose**
	Reasons Based on past and recent experience, the flood modelling has not provided an accurate assessment of actual risks. Because of this, GPIL is opposed to the new flood modelling and challenges their accuracy. For the same reasons stated above in terms of slope risks, it is crucial that all natural hazards have a sound basis given the stigma attached, and the additional costs associated with development and insurance. Relief Sought Delete.	

Volume 3		
Ch.10	**Industrial Zone**	**Support / Oppose**
INr.60B	***Flood Areas except Flood Paths and Floodways - Building and below ground swimming pools*** **Oppose** Reasons This rule essentially requires resource consent for building addition that increases coverage within the flood areas. As such, the rule also opens the door for highly complex and expensive flooding assessment for all development proposals. This is considered to add significant unnecessary cost and delay to all development projects. Relief Sought Delete.	
INr.60C	***Flood Areas except Flood Paths or Floodways - Fence, wall, retaining wall, outside storage*** **Oppose** Reasons This rule introduces very prescriptive rules for fencing in the industrial zone. Those rules are not considered to be practical when considering the needs for security and for health and safety purposes. As such, the rule also opens the door for highly complex and expensive flooding assessment for numerous minor fencing proposals. This is considered to add significant unnecessary cost and delay to all development projects. Relief Sought Delete.	
INr.60E	***Flood Areas except Flood Paths or Floodways - Earthworks*** **Oppose** Reasons This rule introduces very restrictive earthworks rules earthworks in the industrial zone. These rules are not considered to be reasonable when considering the variable needs for industrial activities and development. As such, the rule also opens the door for highly complex and expensive flooding assessment for numerous minor fencing proposals. This is considered to add significant unnecessary cost and delay to all development projects. Relief Sought Delete.	

RMA Submission Form for Publicly Notified Plan Change 29 *Housing and Hazards*

Nelson City Council
Te Kaunihera o Whakatū

OFFICE USE
Submission No: S884
Date Received Stamp: 31/10/2023
NDOCs No: 539570224-18166

31 October 2023

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

Submitter Details

Full Name	---
Organisation	CCKV Maitahi Dev Co LP and Bayview Nelson Limited
Contact Person	Mark Lile
Postal Address	Landmark Lile Limited, PO Box 343, Nelson 7040
Mobile Phone	
Email	mark@landmarklile.co.nz

Trade Competition

I/we **could not** gain an advantage in trade competition through this submission.

Council Hearing

I **do** wish to be heard in support of my submission.

I would **not** be prepared to consider presenting my submission in a joint case with others.



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Signature of Submitter

(or authorised person)

Dated: 31 October 2023

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I/we:		Oppose the Plan Change **in part**		**Oppose** the Plan Change
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My submissions and the relief sought are as follows:

Submissions

Over the course of the last 3-4 years the proponents of PC28 have invested significantly into this private plan change for the benefit of the Nelson community. The positive recommendation from the Independent Commissioners fully endorsed this Plan Change and highlighted the wide-ranging benefits, along with confirming how that proposal achieves the key provisions of the NPS-UD along with the numerous other planning instruments. That recommendation was adopted by Council and the decision to approve PC28 is now Council's decision which is now defending in the Environment Court.

The proponents of PC28 have only been able to review the provisions making up PC29 at the same time as the general public. The Council has however advised that PC28 is in no way affected by PC29 in that the site is outside of the scope of the changes proposed by PC29. In essence, the PC28 land is '***ringfenced***'. In addition, a word search on the Section 32 Evaluation Report supporting PC29 will not identify any reference to PC28 whatsoever.

Given the scope of PC29, with changes affecting most zone chapters, it is difficult to conceive that no part of the PC28 nor the planning framework that surrounds it (including Schedule X) is not affected in some way.

The purpose of this email is to simply register the significant interests that the submitters have in the NRMP and the provisions related to PC28.

If there are direct impacts on PC28 then NCC will need to fully rectify those.

S885

NDOCS-539570224-18168
Re

Received: 31/10/2023

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

Submitter:

Full Name: **Robert Stevenson**

Address: [redacted]

Telephone. [redacted]

Email: **robwave@xtra.co.nz**

Date: **28th October 2023**

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

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

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

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

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

i) The PC29 submission timeframe was only extended from 27 to 56 working days because of public pressure at 7th Sept public meeting.
ii) PC29 media engagement was only increased because of public pressure at 7th Sept public meeting.

iii) Information regarding the negative impacts on existing residents' enjoyment of their properties is not forthcoming in every interaction with NCC members and staff. It is **'Deceit by Omission'** and has required individuals to research PC 29 to find out these aspects and share them with the wider public. Eg.
   (1) Loss of winter sunlight with new recession planes.
   (2) Loss of on street car parking with increased intensification due to no requirement for on-site car parking.
   (3) Loss of privacy with bigger buildings that are closer to boundaries.
   (4) Loss of property value with loss of views, sunlight, and privacy.
   (5) Increased levels of noise with increased residential dwellings around a boundary.
   (6) Residential unit numbers per building can be increased on a 'restricted discretionary' basis without notification or written approval.
   (7) Exaggerated population forecasts.
   (8) Council voted ***NOT*** to withdraw PC 29 on Sept 14th Meeting.
   (9) Predetermined biased Councillors on the hearing panel.
      (a) I am asking Council to immediately withdraw PC 29 and get Council Planning staff to refine the plan design and then put it back out for public consultation.

2) Hearing Panel

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

3) NCC's Population forecasts

a) These are a pivotal aspect for the scale of which Nelson needs to enable intensification and growth. The forecasts used by NCC are not Statistics NZ medium projections, but are over inflated **'home grown'** projections that require the scale of intensification to be greater than those of Statistics NZ. I refer to the submission by Demographer, Dr Geoffrey Hayes.

b) When challenged, NCC staff and the Mayor, always refer to the wider Nelson-Tasman regional growth, which is beyond the scope of PC29.
   i) I ask the Council to use Statistics NZ medium projection forecasts for Nelson, as recommended by the NPSUD Capacity: Guide on Evidence and Monitoring, para 2.1.1 and amend its intensification requirements accordingly.

4) Design Lead and Not Developer Lead Growth.

a) Nelson is a very special and unique place that needs to be protected with care. It is unlike any other district in NZ. It includes a 'Low Rise' City with a collection of heritage and non-heritage character buildings that have attracted people for generations and been a cherished holiday destination for many New Zealanders.

b) Residential Neighbourhoods should be protected for future generations to enjoy and new developments thoughtfully designed and planned on a neighbourhood, by neighbourhood basis to maintain the essence of their character.

c) We need to protect and retain CBD historic facades as an essential part of the character of the Inner City.

d) Contemporary Black Iron Clad Boxes, built only a few metres from 120-year-old Historic Homes is completely out of character and lacks a long-term vision for maintaining the attraction of Nelson for all the future residents and visitors. See attached photo (out of character 1)

e) Green Spaces, Trees and Landscaping are essential for the look and feel of some of our older neighbourhoods. They help considerably with the wellbeing of the residents and help to provide an essential part of the attraction of Nelson, which must all be considered during developing the growth of Nelson.
   i) I ask the Council to create a broader level of protection for neighbourhoods beyond the heritage buildings and precincts to that of areas of historic character value from the early settlement years of Nelson and stop future 'out of character' developments.
   ii) I ask the Council to appoint an Urban Development Agency (UDA), as per the Nelson Tasman 2050 proposal, (attached) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

5) Low Cost and Social Hosing in Nelsons CBD

Of course, Nelson needs to have more social and low-cost housing and importantly it needs to be carefully considered how this is achieved. By shoe horning blocks of apartments in amongst Nelsons CBD businesses or in established fringe City residential or near industrial land will result in poor outcomes. Better outcomes will be achieved by having no more than 10 low cost apartments together spread throughout suburbs, so clusters of intensified residential units are avoided. This will achieve better social outcomes for all residents. We only have to look at Franklin Hall, and areas of emergency housing in Rotorua, and Auckland Central. Se attached Kate Hawksby Article from the NZ Herald

The worst thing that the NCC have done is to agree sell CBD land to Kianga Ora for Social Housing, which is undoubtedly NZ's worst landlord, being as they property set the lowest standard in Property Management, tenant behavior, with their properties are continuously plagued by crime and general anti-social behavior If the planned developments proceed would have a knock-on effect of discouraging further demand for inner city living if Nelson becomes known as a place of crime, making it unsafe to visit. In the last Councils hast to provided more social and low-cost housing these important aspects have not being considered.

Issues that the Council need to address before proceeding with inner city housing development are to provide some properly researched :-

1) Social Impact report to determine what type of Apartments will be in demand.
2) A full Environmental Impact report on view shafts day light angles, and amenities that will be needed to support an increase in CBD residents.
3) A cost benefit study on the type of proposed building with ground floor businesses and apartments above, to establish if these types of buildings will be viable financially. These types of developments will need to build by private developers, and there is a lot of doubt as to how these projects will stack up.
4) There will need to be an agreement that the NCC will need to come to with current landowners regarding the obligation under past and current Town and District Plans where the NCC facilitated the development of Nelsons CBD by allowing owners and

developers to build on 100% of their land with the Council accepting responsibility for providing adequate car parking that under pins the current economic activity.

5) Its interesting to note that
6) 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.

    a. High density living for the homeless and vulnerable will not result in healthy outcomes for all concerned.
    b. 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.
        iv.
        v.

6) **Sunlight Recession Planes and Shading Effects**
    a) Sunlight is a ***CRITICAL*** part of living in Nelson. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.
    b) TDC even 'Encourage the Sun into your home'. See https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/
    c) I am unable to find a section 32 report regarding the winter sunlight shading effects on neighbouring properties. The daylight admission testing in the B&A memorandum dated 15/3/23 are only about maximising building bulk and height to enable increased floor plates at upper levels on a typical size section, rather than any loss of sunlight and the shading effects of a neighbour.
    d) Shape Nelson Website provides misleading information on 'How PC29 could affect you' with no mention of completely losing sunlight amenity with possible total shading over the winter months. Quote:- "**Daylight admission** - the maximum allowable building height decreases as the building gets closer to the side and rear boundaries, so that taller buildings leave space for daylight to get to the neighbouring properties".
    e) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -
        i) Increased levels of mental health Illness, anxiety and stress.
        ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.
        iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.
        iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing is old, with un-insulated walls and single glazing and open fires were legislated out of use many years ago.
        v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.
        vi) Residents, struggling with the cost-of-living crisis may not afford to heat their home.

vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units that ***COULD*** be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.

viii) NCC & TDC 'Housing We'd Choose' report dated June 2021 by M.e Consulting ranks 'Sunny' as the highest preference for housing choice in Nelson and yet PC29 will remove that amenity from its exiting residents, without warning or compensation.

(1) I ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.

(2) I strongly support the inclusion of Daylight and Sunlight policy statement Para RE2.3.i: The reception of daylight and sunlight to each household unit is a critical component of residential amenity that provides warmth and energy efficiency, and is vital for outdoor activities such as gardening and recreation. To ensure shading effects are minimised, and to ensure there is sufficient space around buildings to allow the admission of daylight to the site, this Plan has provided for daylight controls on all side and rear boundaries. The policy also applies to larger non-residential buildings such as schools or halls. The basic premise is that the daylight and sunlight received on a residential site should be no different whether or not the neighbour is residential. This philosophy applies whether the building is on an adjoining site or across a street.

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 no greater than new General Residential Zone equally across the entire Nelson district on the introduction of PC29, on the basis that AP15 Daylight Admission protection rules will apply to all pre-existing properties, unless the owner gives written approval to the contrary.

b) I am strongly opposed to all new 'Green Field' developments being used for only single storey dwellings as it is a complete underutilisation of land that can accommodate increased intensification.

i) I ask Council to ensure a minimum of two storey dwellings be built on all new green field developments. Eg Golden Elms in Toi Toi, Ngawhatu Valley and Marsden Valley.

c) Building holiday apartments that sit empty for long periods, does not solve our intensification, growth and affordability dilemma, and yet it locks up a valuable housing resource. Eg Rocks & Haven Road has many empty apartments.

i) I ask Council to consider solutions to mitigate against new-build empty holiday apartments.

d) I oppose the increase of residential units beyond 4, as a **restricted discretionary** activity that does ***NOT*** require notification and written approval from neighbours.

i) I ask Council to ensure that more than 4 units requires notification, to restrict large 'out of character' accommodation blocks spanning multiple sections, and taking up lots of on street car parking spaces, popping up in a residential street, without warning.

e) Bigger older properties, could be better utilised and help with our growth if they were more easily allowed to be divided into multi-dwellings.
f) Building inner city apartments that offer an alternative solution to 'retirement villages', can free up the bigger homes for new families to occupy. The 'retired' occupants may also be less likely to be reliant on a vehicle, which may more closely suit the growth model desired.
g) Designing Inner-City roof gardens and balconies with green spaces for commercial hospitality use or places for apartment living residents to relax and enjoy the Nelson Sun.
h) Incentivise rate paying residents to demolish or relocate their house in favour of replacing more units on the same section providing they comply with the suitable character or heritage of the neighbourhood.

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. See attached photo (city area taken up by cars).
   ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences'.
b) Secondly, City Fringe would be the next zone to phase in for intensification.
   i) I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land that can be better used for accommodation.
c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
   i) I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) ***if required and over time***, providing AP15 Daylight Admission Protection rules remain in force for existing properties.

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 without providing off street carparking will result in significant hazards to pedestrians and road users in some areas of Nelson where roads are extremely narrow, with little or no footpaths, no berms, high retaining walls, steep drop offs and no turning spaces. Some of these roads are all much narrower than would be expected under modern standards with some being barely a single vehicle wide.

b) On street parked cars, have also narrowed two-way roads down to single lane for two-way access and forced parking on footpaths to become the 'norm'.
c) Drivers must carefully share the roads with each other, cyclists and pedestrians, frequently having to pause where there is available space to allow vehicles to pass. Sometimes this requires driving over the kerb and onto footpaths.
d) In places trucks, including the weekly waste collection vehicles have to reverse quite long stretches because of the lack of anywhere to turn.
e) In places, visibility of oncoming vehicles is also very poor and dangerous.
f) Driving up and reversing out of very steep driveways is challenging at best and potentially unsafe.
g) Access for pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles is difficult and unsafe.
h) Intensification, without providing on-site car-parking in these narrow road access areas will cause fracturing of neighbourly relations and communities who live in these areas.
i) See attached photos (Mt St 1-6 and Konini St 1 & 2)
    i) I strongly recommend that the Hearings Panel conduct a thorough site inspection of the narrow streets of Nelson including, (but not limited to) Locking St, Mount St & Konini St, including on foot.
    ii) I ask Council to provide a 'Comprehensive car parking management plan' as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against the issues of on-street parking.
    iii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.
    iv) I ask council to restrict more intensification in the neighbourhoods with narrow and hazardous road access to Standard Residential zoning for road user safety reasons. Eg (But not limited to:-) Mount St, Konini St, Locking St, Locking Tce, Northesk St (East) and Renwick Place.

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.

- KATE HAWKESBY: AUCKLAND BUSINESSES SEND LETTER TO PM ABOUT CRIME

Kate Hawkesby: Auckland businesses send letter to PM about crime

- ON AIR
- EARLY EDITION

Author
Kate Hawkesby,

Publish Date
Fri, 20 Aug 2021, 9:54AM



(Photo / Getty)

I talked at the start this week about crime in the CBDs and how it's on the rise, dangerously so.

Businesses are exasperated, retailers are at their wit's end, city dwellers are fed up.

And it's not like the people running these inner-city business associations haven't been agitating for action here.

They have, as I said earlier this week, been flagging this for more than a year now.

It's not new. And yesterday, frustrated beyond measure, central Auckland business associations sent an open letter to the PM.

It barely got media coverage, which was annoying but not surprising, it was after all, critical of the lack of government response on this over many, many months.

But the lack of any response from government is not new either.

If I had a dollar for every person who comes on this show from various sectors and industries saying they've tried to get engagement from the government and failed, I'd have a fortune.

And bear in mind, this is all predating this Delta outbreak which many will argue will now be taking up all their time.

So, yesterday's letter pointed out that they've been asking for a co-ordinated cross government approach to deal with these issues, and they identified three immediate actions; increased police presence on the street, better management of emergency housing, mental health and addiction services.

They point out they've continued to do what they can locally – their own CCTV and security systems and patrols, but they need more assistance.

The letter says that "only the Government is in the position to bring about a coordinated solution between ministries of Health, Housing, social Development and Police."

It finishes by saying "please can you bring quick decisive action to keep our city safe and appealing for locals and visitors."

I mean, I wish them well with their letter.

But I fear it's going to get the same response they've had so far; radio silence.

The inaction here of government to face up to what's happening right under their noses is frustrating, but also short sighted.

In ignoring the problem for the past year, it's only been made worse.

And adding to the woes is increasing the amount of emergency housing in these areas, which the Government has done without first of all addressing all the issues created form the first raft of emergency housing.

The level of antisocial and criminal behaviour that's come with this housing has been felt acutely by CBDs, and yet, still, nothing.

The problem now is, with Delta on our doorstep and further lockdowns likely as part of the Government's elimination strategy, CBDs are going to be facing a lot more trouble than just crime surges.

I feel for these businesses right now who must be thinking as if it wasn't bad enough already, it looks like it could get a lot worse, before it gets better.

Received: 31/10/2023
Sub No: S886
NDOCS-539570224-18170

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

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Environmental.planning@ncc.govt.nz

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Telephone:

Email: joshandtinanz@gmail.com

Signature of Submitter: TH

Date: 31.10.23

Housing intensification - PC29 Nelson – October 2023

Submission by Tina Hanrahan

I would like to start by saying I recognise there is an urgent need to address the housing crisis and wellbeing crisis we have in Nelson and New Zealand. It's a complex topic and raises many concerns and issues so is multi-faceted. We all want a better outlook for our future generations.

The timeline however has a very rushed feel and a lack of transparency. I accept that the ball needs to start rolling, but hurrying this step is imprudent to do justice to what can be a truly distinct and inspirational city for others to look at, admire and be excited by as an 'intensified living space'.

There is an opportunity to show true out of the box thinking in design, integrating environmental and wellbeing needs.
Nelson is already unique and most who live here know this is a beautiful place, value it, and feel protective of it. Planning the future expansion of the city requires a sensitive approach which safeguards its special qualities.

Toitu te marae a Tane, Toitu te marae a Tangaroa, Toitu te iwi' - If the land is well and the sea is well, the people will thrive.

Outline of concerns, comments and questions:

1. **Housing crisis**

Agree that there is a need to address the housing in New Zealand.
To look further into:

a. Transparency with the number's facts and figures.
    a. Ensure the numbers and statistics the council are using are relevant and the future projection models warrant this is not too much too soon. Keep it local to Nelson - not overseas modelling. Use of relevant NZ data.
b. Our future generations and our people to consider

    A clearer outline of the PC29 proposals of the intensification to ensure the process is addressing the needs of

    a. First time buyers
    b. Family housing
    c. Long term home
    d. Retirement and downsizing
    e. Renters

    e.g. There is little point aiming for affordable housing in the city centre that is unattainable for the people the plan is aimed at, or the design doesn't meet.

2. **Timeline**

The speed at which the public consultation process has been done to date is very quick. Not enough engagement and time to respond to such a large proposal. To do justice to the design more time for public engagement and involvement should be allowed.

3. **Broad stroke approach**

The Nelson PC29 is very broad stroke - not tailored to the unique character, qualities and opportunities of Nelson

a. Nelson is a unique city with many characteristics that stand out both locally, and internationally - sunshine city, heritage buildings, beautiful environment - bush, green space, beaches, waterfront, ocean. Good local food, art and diversity. All of which reflect in the city's architecture, and planning layout.

The existing heritage architecture and future new builds needs to be thoughtful and designed with integrity. What works in another city in New Zealand or elsewhere in the world may or may not work in Nelson.

4. **The environment - Smart city vs Bio-urbanism**

    Nelson is in a superb position to take a route that is trailblazing – a leader of design and honoring the environment.
    Has the council explored leading with a 'Bio-urban' approach rather than 'smart city'? Why?

a. Nelson could be a frontrunner in the country and world as an organic, sustainable inspiring city.
b. Nelson is small enough to use the natural environment as a whole part of the design not just greenery signaling
    a. Biophilic design
    b. Bio urbanism
c. As a sunshine city – the light in the city and in apartments, homes and gardens is what sets the city apart. It is at the core of the wellness and wellbeing of the people who live here. The intensification of the city should uphold the wellbeing and wellness of the people and be at the forefront of the design.

d. Inspirational design led approach which nurtures the assets of the city - bringing together inner city living to create a more vibrant centre, and the wider community which considers all aspects of wellbeing from sunlight, gardens, greenspace, good local food, produce, water, and nature.

5. Learn from history

There are many examples of mistakes and positive outcomes in intensification nationally and overseas. Learn from overseas issues created. Cities that work – extrude the whys and apply to Nelson ideas for future talks.

There are many apartment blocks that had great intensions by design but have created unsafe, unhealthy, ghettos in public housing council blocks.

6. The city at large – vs urban sprawl

Creating vibrancy and life to the city in a time when the city is struggling can work hand in hand with bringing more living into the city centre. Attracting people to the city to spend time there, live there, connect with work and after work life.

The proposed changes to height restrictions are major changes which could hugely impact the light of the city and streetscapes just as the intensification of the townhouses which could be built around the city streets.

Careful planning of height and height restrictions need to be clear, transparent and well understood before the next step.

7. Design led vs developer led

A design led city as opposed to developer led would give greater opportunities to ensure sensitivity to the planning, and the character of place comes first rather than 'formula' approach.

a. Local designers engaged
b. Street appeal - fitting in. Addressing the concept of placement, character and interaction with the street and local environment.
c. Form and function, costs and quality

8. Wellbeing

Creating a city that focusses on the wellbeing of its people and place. The values of the space we live in in Nelson which go hand in hand with the natural environment and upholding the very essence that makes it the city it is.

a. Larger scale cities vs small city – Nelson is a small-scale city and retaining its character should be reflected in the plan.
b. Sunlight – Nelsons light and connection to the environment. Over imposing builds taking out outlook and light have huge impact on the wellbeing of people and the land adjacent.
c. The environment - value of space – both in the city and wider community. A balance of green spaces in the city with the buildings. Outlook, and connection to nature all contribute to wellbeing and mental health.
d. Human connection – neighbours and people's interactions. Creating divides - too big a building disconnects us from face to face connections and the environment around us.
e. Building materials, and materials that enhance space or connect humans to spaces. Sensitivity to building materials and waste materials. Existing buildings that can be repurposed or reinvented so to create less waste and impact on people and place.

Examples:

Historic buildings – beauty of architecture and story of a place. Evolving, acknowledgment of past and future





Nelson City – old library on Hardy Street

Opportunities to look overseas and learn from overseas – overbuilds, cheap materials, disconnection to the old and new, the concept and reality











High risers in the UK, council estate housing







Torrevieja – Spain

Learn from history – replacing old with new



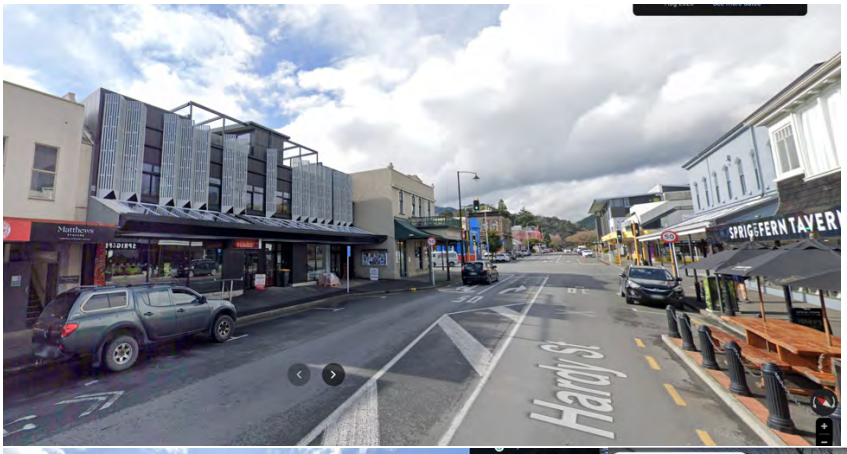
Nelson's Civic House in all its brutalist concrete, Mansard roofed, futuristic-pipe glory.



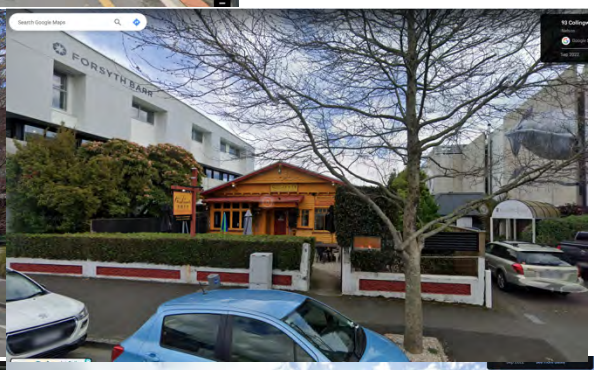
The old Nelson Post Office was built in 1906 and demolished because of earthquake risk concerns in 1970.

Nelson – NCC Building

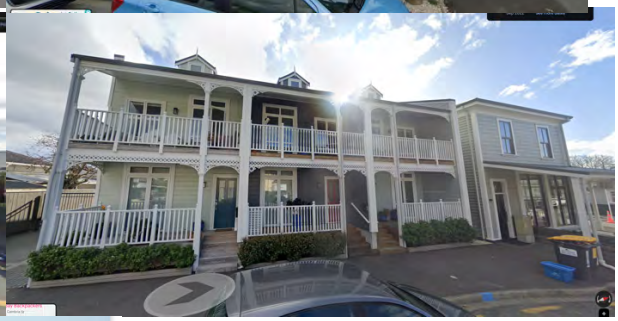
Merging new old – ecclectic mix





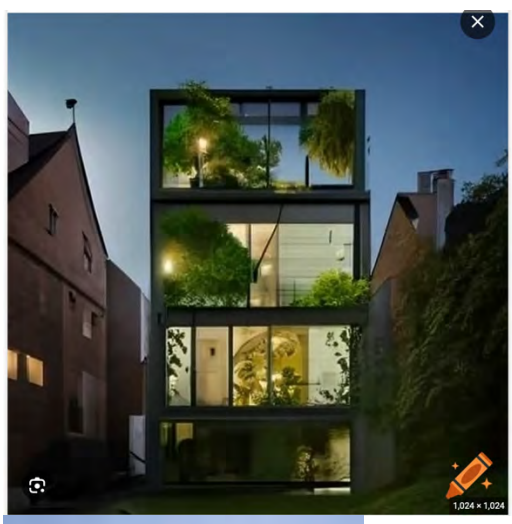








Nelson – various new and old builds and renos – context of street and location







Greenery in city

Photos all from internet

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: **Carey Louise Mason**

Address:

Telephone:

Email: **careymason60@gmail.com**

Signature of Submitter:

Date: **30 October 2023**

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

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 in its entirety, so they can formulate and articulate a suitable response.

e) The severe lack of Trust between residents and Council has become significant given the following:-

i) The PC29 submission timeframe was only extended from 27 to 56 working days because of public pressure at 7th Sept public meeting.

ii) PC29 media engagement was only increased because of public pressure at 7th Sept public meeting.

iii) Information regarding the negative impacts on existing residents' enjoyment of their properties is not forthcoming in every interaction with NCC members and staff. It is '**Deceit by Omission'** and has required individuals to research PC 29 to find out these aspects and share them with the wider public. Eg.

(1) Loss of winter sunlight with new recession planes.

(2) Loss of on street car parking with increased intensification due to no requirement for on-site car parking.

(3) Loss of privacy with bigger buildings that are closer to boundaries.

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

2) Hearing Panel

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

3) NCC's Population forecasts

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

4) Design Lead and Not Developer Lead Growth.

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

ii) I ask the Council to appoint an Urban Development Agency (UDA), as per the Nelson Tasman 2050 proposal, (attached) to carefully guide growth and actively facilitate the emergence of cohesive urban neighbourhoods with a variety of high-quality housing choices.

5) Sunlight Recession Planes and Shading Effects

a) Sunlight is a ***CRITICAL*** part of living in Nelson. It is not called the 'Sunshine Capital of NZ' for no reason. It is well documented that people relocate to Nelson because of the Sun and accept reduced wages called 'Sunshine Wages' for that privilege.

b) TDC even 'Encourage the Sun into your home'. See https://www.tasman.govt.nz/my-property/building-and-alteration/heating-and-insulation/energy-efficiency-and-heating-your-home/

c) I am unable to find a section 32 report regarding the winter sunlight shading effects on neighbouring properties. The daylight admission testing in the B&A memorandum dated 15/3/23 are only about maximising building bulk and height to enable increased floor plates at upper levels on a typical size section, rather than any loss of sunlight and the shading effects of a neighbour.

d) Shape Nelson Website provides misleading information on 'How PC29 could affect you' with no mention of completely losing sunlight amenity with possible total shading over the winter months. Quote:- "**Daylight admission -** the maximum allowable building height decreases as the building gets closer to the side and rear boundaries, so that taller buildings leave space for daylight to get to the neighbouring properties".

e) All existing houses built prior to and under the current daylight admission rules will be subjected to the loss of sunlight amenity under PC29 with the following effects: -

i) Increased levels of mental health Illness, anxiety and stress.

ii) Increased levels of damp homes with associated mould and mildew and respiratory illnesses.

iii) Shadowing of 'Green Energy' Solar Arrays and Passive Solar Energy Heating.

iv) Increased heating costs, air pollution, carbon foot print, are all exasperated due to a large portion of Nelson housing is old, with un-insulated walls and single glazing and open fires were legislated out of use many years ago.

v) Reduction in property values and increased financial stress, because the house would be less desirable to live in.

vi) Residents, struggling with the cost-of-living crisis may not afford to heat their home.

vii) Property owners will be reluctant to invest in making additional new (low rise) infill improvements on their section, with affordable additional units that ***COULD*** be over shadowed and devalued by a wealthier developer who could afford to build a multi-storey development next door at any time in the future.

viii) NCC & TDC 'Housing We'd Choose' report dated June 2021 by M.e Consulting ranks 'Sunny' as the highest preference for housing choice in Nelson and yet PC29 will remove that amenity from its exiting residents, without warning or compensation.

(1) I ask the Council to maintain the AP15 Daylight Admission protection rules to all pre-existing properties, unless the owner gives written approval to the contrary.

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

for daylight controls on all side and rear boundaries. The policy also applies to larger non-residential buildings such as schools or halls. The basic premise is that the daylight and sunlight received on a residential site should be no different whether or not the neighbour is residential. This philosophy applies whether the building is on an adjoining site or across a street.

6) Privacy and Outlook

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

7) Intensification

a) I strongly oppose the High-Density Residential Zone. It is by no way in character or in keeping with any existing 'Low Rise' Nelson residential suburb and beyond the MDS legal mandate.
   i) I ask Council to remove HDRZ from the plan completely.
   ii) I ask Council to apply no greater than new General Residential Zone equally across the entire Nelson district on the introduction of PC29, on the basis that AP15 Daylight Admission protection rules will apply to all pre-existing properties, unless the owner gives written approval to the contrary.

b) I am strongly opposed to all new 'Green Field' developments being used for only single storey dwellings as it is a complete underutilisation of land that can accommodate increased intensification.
   i) I ask Council to ensure a minimum of two storey dwellings be built on all new green field developments. Eg Golden Elms in Toi Toi, Ngawhatu Valley and Marsden Valley.

c) Building holiday apartments that sit empty for long periods, does not solve our intensification, growth and affordability dilemma, and yet it locks up a valuable housing resource. eg Rocks & Haven Road has many empty apartments.
   i) I ask Council to consider solutions to mitigate against new-build empty holiday apartments.

d) I oppose the increase of residential units beyond 4, as a **restricted discretionary** activity that does ***NOT*** require notification and written approval from neighbours.
   i) I ask Council to ensure that more than 4 units requires notification, to restrict large 'out of character' accommodation blocks spanning multiple sections, and taking up lots of on street car parking spaces, popping up in a residential street, without warning.

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

f) Building inner city apartments that offer an alternative solution to 'retirement villages', can free up the bigger homes for new families to occupy. The 'retired' occupants may also be less likely to be reliant on a vehicle, which may more closely suit the growth model desired.

g) Designing Inner-City roof gardens and balconies with green spaces for commercial hospitality use or places for apartment living residents to relax and enjoy the Nelson Sun.

h) Incentivise rate paying residents to demolish or relocate their house in favour of replacing more units on the same section providing they comply with the suitable character or heritage of the neighbourhood.

8) Progressively Phased Intensification

a) Firstly, Inner City should be the starting place to have the most significant intensification, before forcing it onto the residential neighbourhoods, this can give more time to complete a better design vision for our residential neighbourhoods.
   i) I ask Council to make better utilization of Car Only spaces, by developing them into shared spaces, with Accommodation overhead. 'Nelsust' highlights 44% of the Inner City as Car only spaces. See attached photo (city area taken up by cars).
   ii) I ask Council to retain para ICd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose to live in the City Centre because of its easy access to offices, shops, entertainment and varied open spaces and experiences'.

b) Secondly, City Fringe would be the next zone to phase in for intensification.
   i) I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land that can be better used for accommodation.

c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
   i) I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) ***if required and over time***, providing AP15 Daylight Admission Protection rules remain in force for existing properties.

9) Intensification in hazard zones

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

10) On-street carparking

a) Increased intensification without providing off street carparking will result in significant hazards to pedestrians and road users in some areas of Nelson where roads are extremely narrow, with little or no footpaths, no berms, high retaining walls, steep drop offs and no turning spaces. Some of these roads are all much narrower than would be expected under modern standards with some being barely a single vehicle wide.
b) On street parked cars, have also narrowed two-way roads down to single lane for two-way access and forced parking on footpaths to become the 'norm'.
c) Drivers must carefully share the roads with each other, cyclists and pedestrians, frequently having to pause where there is available space to allow vehicles to pass. Sometimes this requires driving over the kerb and onto footpaths.
d) In places trucks, including the weekly waste collection vehicles have to reverse quite long stretches because of the lack of anywhere to turn.
e) In places, visibility of oncoming vehicles is also very poor and dangerous.
f) Driving up and reversing out of very steep driveways is challenging at best and potentially unsafe.
g) Access for pedestrians, mobility scooters, cyclists, refuse collection and Emergency Service vehicles is difficult and unsafe.
h) Intensification, without providing on-site car-parking in these narrow road access areas will cause fracturing of neighbourly relations and communities who live in these areas.
i) See attached photos (Mountt St 1-6 and Konini St 1 & 2)

i) I strongly recommend that the Hearings Panel conduct a thorough site inspection of the narrow streets of Nelson including, (but not limited to) Locking St, Mount St & Konini St, including on foot.
ii) I ask Council to provide a 'Comprehensive car parking management plan' as strongly encouraged by Policy 11 of the NPSUD 2020, to mitigate against the issues of on-street parking.
iii) I ask Council to use traffic calming solutions that do not lose on-street car parking spaces. Eg. Speed Humps, instead of Choke Points.
iv) I ask council to restrict more intensification in the neighbourhoods with narrow and hazardous road access to Standard Residential zoning for road user safety reasons. Eg (But not limited to:-) Mount St, Konini St, Locking St, Locking Tce and Renwick Place.

11) Social Housing

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

12) Infrastructure

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

S888
Received 31/10/2023
NDOCS-539570224-18174

SUBMISSION to Nelson City Council

On Plan Change 29

From: Chris Allison

INFORMATION ABOUT ME AS A SUBMITTER:
My training and much of my working life has been as a clinical psychologist. Over time I've become more interested in preventing than treating illness, and the wider, systemic and structural factors that create the context for wellbeing or ill health. My later work on mental health promotion, funded by the Ministry of Health, reflects this. As part of that, over the last 20 years I have worked with both local councils on aspects of policy and planning issues, more recently as this relates to our region's changing demographic profile. A particular interest for me is how the environments we live in - especially those we create in our urban spaces - impact on human psychology and wellbeing. A good summary of the research on this field can be found in the excellent book *Happy City*, held by Nelson's library (307.12 MON).; a book that should be required reading for both councillors and any council staff involved in decisions about Nelson's urban development.

I do not wish to speak in support of my submission at a public meeting.
I will not be gaining an advantage in trade competition through my submission.

My submission

Arguments for the need for intensification are fairly well established, are being presented by others, and will be familiar to Council. I support the intention of the proposed plan change. The potentially contentious issue is how, and where. The tricky geography, compact nature of the Nelson urban region, multiple hazards - many of which will be exacerbated by climate change - and vested interest make for a challenging exercise. Still, it's necessary and possible. But it requires a good process.

Nelsust has made an extensive submission which I support.

In particular:

2.3.1 Make Car Dealing an Industrial Activity.

[When this issue is given more than a moments thought it seems absurd that so much often well located land that would be very useful for providing housing is given over to what are, essentially, car storage centres.]

2.3.4 Support for 3 Dwellings per Title.

2.3.5 Reductions to Max Heights Requested.

2.3.6 Recession Plane Changes Requested.

2.3.7 Boundary Setback Changes Requested.

2.3.8 Site Coverage Changes Requested.

In regard to the points made in Nelsust's **2.3.10 Heritage and Views,** I agree that 'if there was a requirement to show how you are not significantly affecting neighbours views, this could be massively misused to block density increases.' Very true. But as with sunlight, views often determine the orientation and internal layout of a house, so introducing a significant block to either of these will impact on the way a house functions for those who live in it. So yes, 'protecting my view' is not a blanket reason to oppose change, but removing much the sun and view of a house is far from spurious - that's how we build prison cells.

My biggest concern with the proposed changes, however, follows on from the point made by Nelsust; *"most problematic, there is nothing in the proposals that deals with the issue of TRANSITIONING to a townhouse type in our higher density areas."*

This is a critical issue, and it links to an excellent opinion piece in the Nelson Mail (*Can we intensify Nelson without a design?* https://www.stuff.co.nz/nelson-mail/300992032/can-we-intensify-nelson-without-a-design) by Timo Neubauer. Nelson has a patchy history of either not doing such design work, or doing it and then ignoring it. I live in Tahunanui, and the 2004 well-consulted-on Tahunanui Structure Plan is an example of the latter.

But I not only live in Tahuna, I live in one of the areas now designated for high density residential. Well, ok it has to go somewhere. Knowing the characteristics of this area though I wondered, why here?





Looking at the hazards map (left), and the HDR zone (right), it would appear the answer to the question of why, in a suburb of predominantly single story buildings, 6 story apartment blocks are to be built, is essentially because the hazard profile allows for it. Oh, and are these lower value homes, which would realistically allow a developer to buy the multiple properties necessary for the scale required for the kind of 6 level buildings illustrated in plan documents? I think not. But if sufficient land was acquired, at some considerable cost, would it then result in the kind of affordable housing the intensification process should be aiming to address?

What seems glaringly obvious in this example is the absence of the existence and application of the urban design process Timo Neubauer refers to; of any form of ‘comprehensive neighbourhood plan’ that would ‘give some certainty about the form and location of future buildings, open space areas for outlook and privacy, future public and private green spaces, play areas, potential new laneways and so on.’ A plan that outlines some sort of cohesive, coherent design intention for the area.

At least in the proposals for Stoke there is some kind of rationale to clustering the high and medium density areas around the (walkable to) shopping area, Isel Park, and good public and active transport links. But even here there appears to be no allowance for neighbourhood variation - do we really want 6 story apartment blocks butted right up to the north and south boundaries of Isel Park?

While I currently live in a single story house and am critical of the approach taken here, the skipping of the local design stage in Nelson’s urban development, I won’t be here for ever, or even live in this house forever. Like many people of my age (66.95) there will be a time

when a zero maintenance apartment becomes very attractive, so lets have more of them - and not just in cash-cow retirement villages. Some of these apartments could be built near me, sympathetically to their location and its intended character, with the kind of plan detail changes outlined in the Nelsust submission. Now that would be a smart little city.
But who wants to live in a city that grows without adequate urban design, sprinkled with ad hoc developments, a legacy of expediency and wasted opportunity?

Chris Allison



email: catwinns@icloud.com

s889
Received: 31/10/2023
NDOCS-539570224-18177

From: Jac Stevenson <robjacwave@hotmail.com>
Sent: Tuesday, 31 October 2023 3:27 pm
To: Environmental Planning
Subject: Tahunanui Community Hub - Planchange 29 submission

Attention: Senior Planning Administrator

Submitter: Tahunanui Community Hub (TCH)
Full name: Jac Stevenson (TCH Chair)
Address:

31st October 2023

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

I **don't wish** to be heard in support of our submission

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

1)The plan change 29 Process, we wish to acknowledge....

- That we have found it difficult to digest the total effect of the proposal PC29 and its supporting documentation due to its size and complexity.

- We wish to acknowledge the support of Paul Shattock in providing enlarged copies of the maps relevant to our Tahunanui community, which we could have up for residents to view.

  As we believe it has been to the detriment of residents & businesses and has contributed to a lack of buy-in, by NCC in not providing similar maps and a paper copy of PC29 in prominent spaces such as the local libraries and also at NCC. It is an incredibly complex document with many overlays, not easily digested by the lay person.

We raised this point with PC30 with the Mayor and fortunately this was corrected, although very late in the submission process with only a few weeks to go.

- We would like to acknowledge the extra time that was given with PC29, but admit to finding it frustrating that PC30 wasn't afforded the same respect.

  People are very skeptical as to how much submitters are actually listened to? The pace of submissions placed on individuals and communities is at an alarming rate, especially with the huge ramifications proposed. We are not professionals and often are trying to coordinate meetings w boardmembers, around fulltime jobs and other commitments.

  Could an overview plan of what is proposed to be presented to the community by NCC each year, not be made public once a year, to allow people to plan, with an approximation of the time each submission is scheduled?

- We are concerned that, NCC staff have referenced at several meetings 'This is a '**broad brush approach**', when asked why certain areas within the community have been nominated for High density development and not others. Of particular note in Tahunanui is the High Density broad brush approach, used for parts of the Tahunanui hills, around Tamaki Street. This is one of the steepest streets in all of residential Nelson and we strongly invite that the commissioners, take the time to walk this area to:

  * See how far this is away from local facilities, such as the Tahunanui Beachside shopping village, medical facilities, Public transport. It is not easily accessible by bike or walking for members of the community who aren't nibble footed and fit, encouraging any access to be reliant of the private car, something we thought P29 & NCC were discouraging?

  * We also, have concerns relating to the infrastructure in this area, as the stormwater is shown to be sadly lacking and very aged, with many slips noted as recently as last year on the corner of Tosswill Rd off SH6 off Tahunanui Drive, the top of Tamaki steps which still has slips, the access to the North been shut with Moana Avenue closed for months due to the large slope instability and slippage from the Sandcliffs on Princes Drive above. Also, slipping was noted on Maire St, which is the only other access point out of the Tahunanui hills to the south. We also question the suitability of the Tahunanui hills, as they are very narrow, winding streets which has no public transport (other than Moana & Bisley Avenues, which is not easily accessed by residents south of the Moana Ave/stansell Ave roundabout, been easily 1-2km away) This area has very recently had speedhumps installed to deter rat-running by vehicles and we feel it is inappropriate to service high traffic volumes.

- We fully support that the area shaded light purple, designated commercia/residential, at the Tahunanui lights, and covering the Tahunanui

Structure plan map (2004) including the shops and residential areas on the 'triangular area between Tahunanui Drive, Muritai Street and Beach road' is deemed only medium density unlike other areas in the PC29 in this colouring which are High density. Although we believe there is a significant heritage site, of high Maori value behind the Tahunanui Pharmacy which should be given the respect and designation it deserves. We do question why the Nellie Nightingale library fits under this zoning, considering this was bequeathed to the Tahunanui community, and would of thought should be included within the beach reserve that it boarders?

- We support Medium density development in our Tahunanui Community and in the wider Nelson region, but we strongly believe that any High Density development should be reserved **Only** to the Flat areas in the Inner city shopping precinct and surrounding flat areas, in a mixed residential/commercial zone. Especially between St Vincent and Vanguard Streets. These are easily accessible by foot, bike or public transport to the nearest essential amenities.

- We find it incredibly frustrating that we are doing this submission now, when we don't have all of the evidence to make a thorough decision, especially in waiting for the GPS on Climate (due out in Novemer '23) and in particular the ramifications of the Sealevel rise and inundation in relevance to the Tahunanui flats. When asked what will happen when we this missing data is finally available at the recent community held meeting, The mayor said we'll just have to do another submission then!

  We have also queried whether the PC30, with the proposed extension to the Nelson Airport runway to the North. Is been pushed through prior to PC29, which will largely stop any development by either Kaianga Ora (who own approximately 50 properties in Tahunanui) or private developers & private residents to develop anything higher than 2-3 levels? Clarity on this would be appreciated, or are we waiting on the Climate report?

-We'd like to know why a conscious look at the state and condition of housing in Tahunanui and wider Nelson hasn't been considered as areas to focus?

In particular the substandard state of housing in parts of Golf Rd, often referred to as 'Sausage housing', where old motels have been converted into family homes. We have families within our community living in these old one and two bedroom motel rooms alongside the majority of Nelson's recent Emergency and Social housing **ALL** based in Tahunanui. Many of these families, are doing their main grocery shop at the likes of the Night n Day dairy, local dairies and our Tahunanui Mobil Station. (Although the new, more regular bus service has been a welcome addition, providing easier access to supermarkets)

Not to mention the huge increase in demand that the Tahunanui Community Hub has had put on it, especially on its food, mental health and addiction services.

These units are not set up with appropriate cooking or storage facilities for individuals in long-term accommodation, let alone families.

- Nelson is incredibly lucky to have some beautiful heritage buildings and in particular the precinct behind the Cathedral has some stunning examples of early NZ architecture, and is an area of particular note.

  The majority of these dwellings are to a very high standard, with many proudly renovated. In this area we feel it with be incredibly short sited for high density and propose that planning rules could be changed to allow these properties to be rezoned into flats, allowing the character of our city to remain, but providing homes for more than one family. Surely this is a quicker fix, than waiting for redevelopment of new properties?

- 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. The Tahunanui Business & Citizens Association has been asking for years for an update on the Tahunanui Structure Plan (2004) not just for the beachside village but also to incorporate surrounding residential areas,.

- Green spaces, Trees and landscaping are essential for the look and feel of some of our older neighbourhoods, and any new developments should also include this as it is essential into the wellbeing of residents, not to mention proven to assist with the rising heat of climate change and liveability in communities.

  We do not want to see our greenspaces lost to impervious surfaces (roads, houses, parking lots and buildings that reduce infiltration of water into the ground and accelerate runoff, as experienced in Auckland earlier this year.

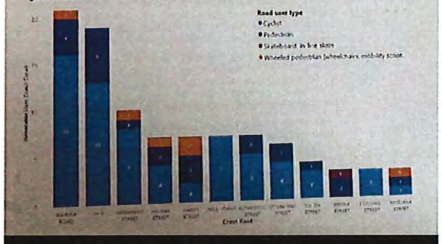
In conclusion, we believe Tahunanui is a beachside community which has a very good grasp of the critical need for more housing, in not only our community but wider Nelson. Thriving local community centres are empowered by their strong sense of interconnectedness. We all want a vibrant, attractive place in which we can live, work and play. Quality open spaces are important factors in the cultural, historical and aesthetic identity of Nelson. Lets not overcomplicate it and hopefully we can all work together to ensure Nelson stays the smart little city, that we've chosen to be home.

We look forward to working alongside NCC to provide the best opportunity for all our community members and continuing to be a strong advocate for the Tahunanui Beachside community moving forward.

What is included in photos are slips and pictures relating to last august floods in the areas NCC are considering high density housing. Examples of 'sausage flats' in Golf Rd and safety & crash statistics for SH6, at base of where Tamaki high density is proposed.
With thanks
Jac Stevenson
TCH-original-CBA672B9-1B14-4755-9100-6B1E69D146CB.jpeg original-25E193B5-03CA-47AB-A37C-9F93BB3A0B0D.jpeg original-927F9ACB-9E72-4FAD-9199-1366B417686A.jpeg original-D5ED5104-49BC-4F23-BCD2-012BBBEAB4E1.jpeg original-927136B9-5759-4B0E-A5D7-7086BC9ECD62.jpeg original-780ECB60-FB92-4760-AAEB-D20FFE5182E6.jpeg original-E2F9C4D0-7589-4F26-905F-471C6FBCAF63.jpeg original-9F6CCCBC-7F60-468D-97FB-746E5D163BBD.jpeg original-CF89D85B-4138-4B63-807C-07918A841E9C.jpeg original-543F93D1-EA12-4D7F-B2FC-4B97510E8F23.jpeg original-D8432E7D-4A22-42E6-8E70-BB7EB2079C9D.jpeg original-BB8EDA10-A812-4EBC-98EC-0F2BB750723F.jpeg original-904D9528-FE8C-4CE0-BD5B-6C4339FC86A8.jpeg original-31DB531C-A646-46D9-98CD-42E5B0816E36.jpeg original-0541350A-ECCB-43C4-A3DE-D3E1CC652A92.jpeg original-6243EA1D-3FE4-48F9-9757-5A629BB999C3.jpeg processed-20ADC874-F17D-4FBB-8CE1-EDC6098C5070-1AF8EC9A-4596-47E1-8F45-2EAF68623825.jpeg Chair

[redacted]

Figure 48: 2015-2019 vulnerable user intersections crashes



[redacted]

[redacted]



[redacted]

[redacted]



[redacted]



8:36

Advertisement

134 Nelson houses now red stickered as slip risk to properties assessed

Katie Townshend · 12:33, Aug 24 2022



MARTIN DE RUYTER/STUFF

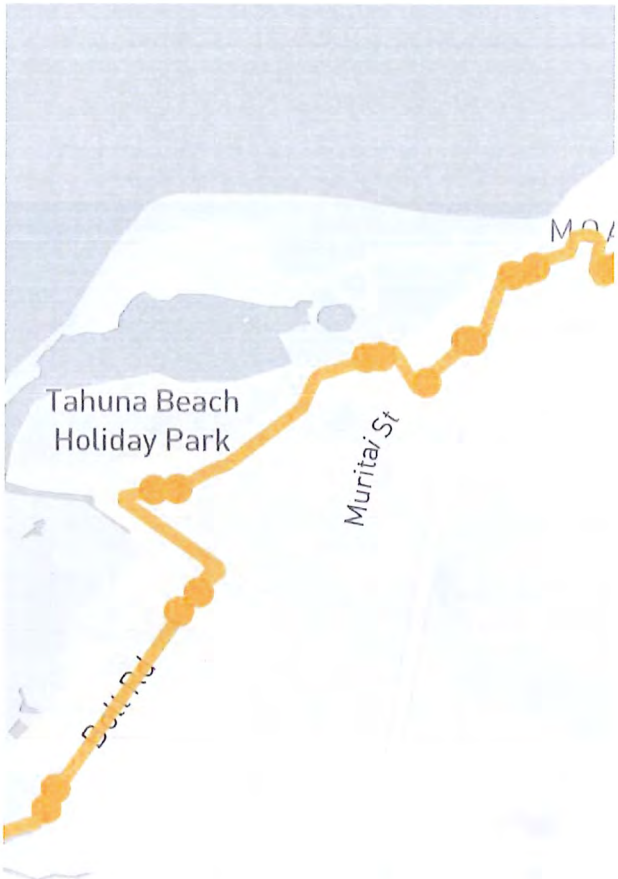
Geotechnical adviser Grant Maxwell is part of a team assessing homes under threat from landslips on the Tahunanui Hills.

The number of red stickered houses in Nelson has grown to 134 as experts assess the ongoing slip risk to houses.

At 7am on Tuesday, there were 15 red stickers, 108 yellow stickers, and 339

i.stuff.co.nz





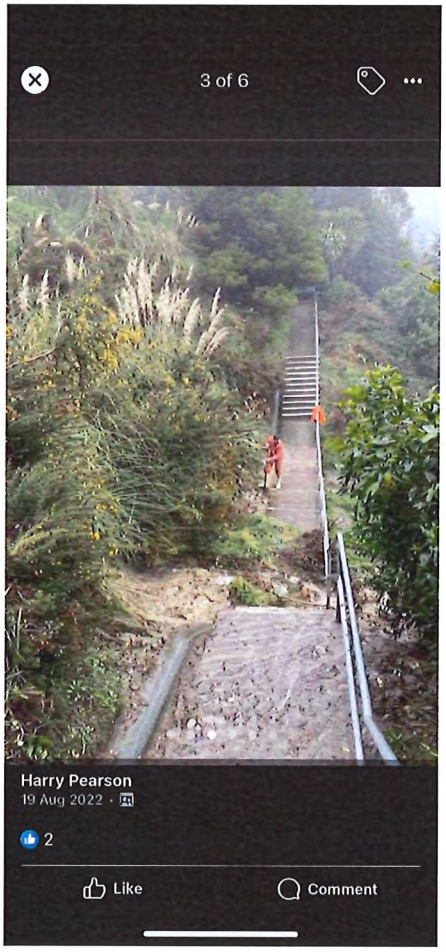
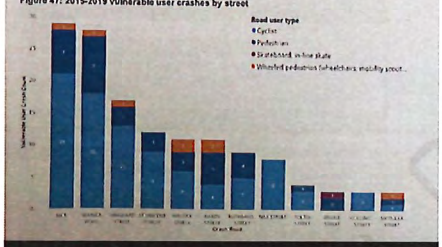


Figure 42: 2015-2019 injury crashes by street

Figure 42: 2015-2019 injury crashes by street

Figure 47 shows that the majority of crashes involving vulnerable users occur on SH 6 and Waimea Road. This also reflects the overall crash rate and shows the exposure hazard for vulnerable users travelling on highly trafficked roads. Vanguard Street and key streets around the CBD also feature a significant number of vulnerable user crashes.

Figure 47: 2015-2019 vulnerable user crashes by street



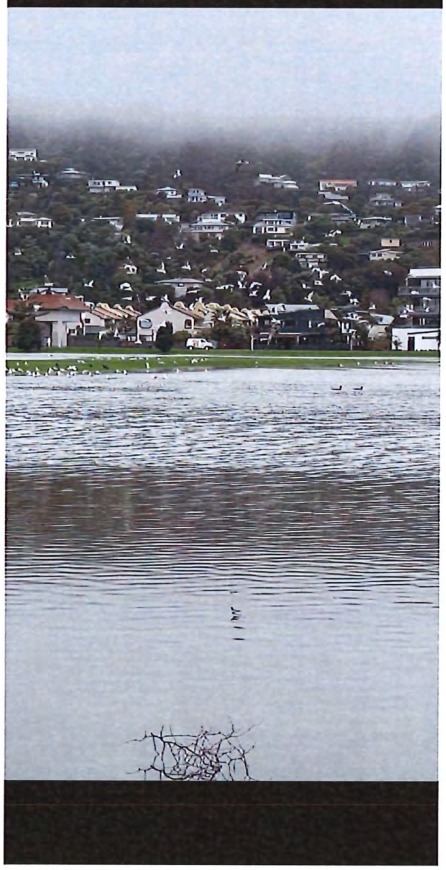
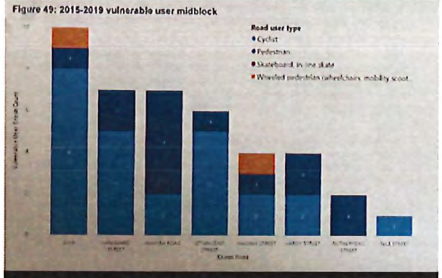


Figure 49: 2015-2019 vulnerable user midblock





RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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: s890
Date Received Stamp: 31/10/2023
NDOCs No: NDOCS-539570224-18179

*Required

Submitter Details

Full Name*	ANNETTE MARGARET MILLIGAN & CHRISTOPHER IVAN SKINNER
~~Organisation~~	
Contact Person	Annette Milligan
Postal address*	
Telephone*	Email* annette@kaidai.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)

31/10/2023
Date*

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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

- [x] 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*:

- [x] 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)

You will have many pages of submissions so briefly:

- We support up to 5 stories of building in the CBD.
- We support up to 3 stories of building in the rest of Nelson so long as current sun angles of existing homes is not impeded.
- We do not support 6 story buildings in, for example, Examiner St, or other similar areas outside the immediate CBD.

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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).

- limit the height of buildings in residential areas to no more than 3 stories.
- Commit to maintain the quality of life currently enjoyed by residents.
- Encourage medium density buildings in the city to stop urban sprawl.

Note:

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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.
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    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.

s891
31/10/2023
NDOCS-539570224-1818

SUBMISSION to the Nelson City Council

Plan Change 29

John-Paul Pochin

email: johnpaulpochin@gmail.com

31/10/23

Growth

Regarding Plan Change 29, I agree with the intent. If Nelson is to grow in population then from an environmental perspective then we need to intensify; we can't continue to build outwards taking up more valuable land and destroying the natural environment. We also need to reduce the resources needed to construct new buildings and consider the environmental effects of any new development. However at what point is Nelson 'big enough' ? At what point do we stop growing our population? On a finite planet with finite resources we can't continue to grow indefinitely.

The Good

There are some good elements in the plan, such as:

- No minimum car parking requirements and the requirement of cycle parking. Most amenities in our city should be accessible by bike, by walking and/or catching the bus. This needs to go hand in hand with good infrastructure to support that; slower inner city speeds and car free streets, more bike paths, places for people to sit and rest if walking for example.
- Make it easier to convert first floor space into residential units. This is underutilised space and utilising this for housing could add to the vibrancy of the city as well as reducing the need for new developments.

Design

I'm concerned that Plan 29 as it is hands our city over to developers with little control or direction over the sort of city we want to live in.

Thought needs to be given to how people will interact with new buildings. How will they connect to the street? How will they enhance community connections (rather than walling off sections of the city)? How will they add to the vibrancy, aesthetics of the city and the general wellbeing of people living here? How will green spaces and other communal spaces be

incorporated ? More trees offer shade in Summer. Could edible gardens and fruit trees and permeable paths be incorporated. How will the loss of daylight from multistory buildings be compensated?

In short, how will we ensure that a higher population and any development improves rather than diminishes the lives of people living here.

In addition, for any new development the materials used, as well as the building methods and the removal of any existing structures should be assessed from an environmental perspective when determining whether the development can go ahead. Every car should be taken to repurpose existing structures, recycle what can't be repurposed and any new materials should have a minimum of environmental impact.

Conclusion

While I agree with the intent of intensifying new developments in Nelson, I can't support Plan 29 as it stands.

I wish to speak to my submission.

I do not gain an advantage in trade competition through my submission.

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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: s892
Date Received Stamp: 31/10/2023
NDOCs No: NDOCS-539570224-181

*Required

Submitter Details

Full Name*	Marty Miller		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	martymiller220@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:*

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Council Hearing*

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☐ I/we wish to be heard in support of my/our submission. If yes:

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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.

Marty Miller
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 October 2023
Date*

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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

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- [ ] Natural Hazards/Climate Change
- [ ] Heritage
- [ ] Papakāinga
- [ ] Transport
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- [ ] Infrastructure
- [ ] Area outside of Plan Change
- [ ] Subdivision
- [x] Other –

I/we*:

- [ ] Oppose the Plan Change **in part**
- [ ] Support the Plan change **in part**
- [ ] Are **Neutral** about the Plan Change
- [x] **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)

Please refer to under lined and hi-vis high-lighted phrases, sentences and paragraphs in attached article titled: 'Firefighter access and housing intensification', David Hindley, BRANZ build:Issue 198, October/November2023, pages62-63, and 'Firefighting capability and building height', David Hindley, BRANZ build, Issue: 198, October/November 2023, pages: 64-66, I ask the following question, " will disabled persons have ~~ind~~ individual evacuation plans?" Nothing Follows

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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).

To extinguish Plan Change 29. Nothing Follows.

Note:

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    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.

BRANZ

build

BUILDING KNOWLEDGE

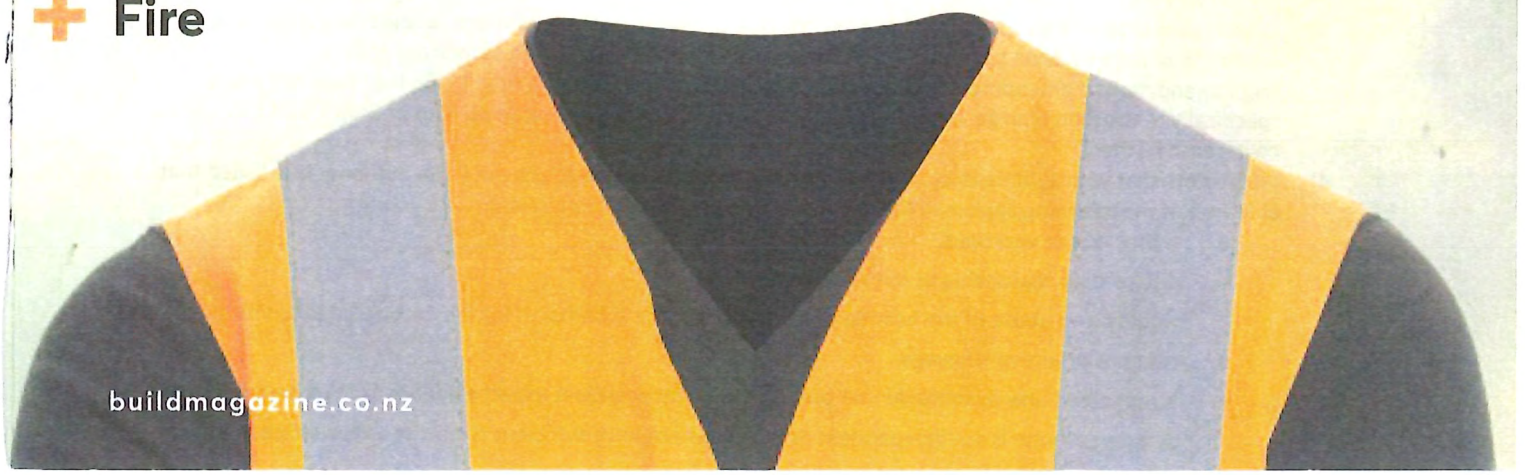
ISSUE 198 | OCT/NOV 2023





Innovation
AI and you

+ Fire



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There's no time to stand still as innovative new technology changes the face of the industry, with AI the new big thing.

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Urban densification is causing problems for firefighters as access becomes an issue.

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FEATURE SECTION

Fire

Urban densification is causing problems for firefighters as access becomes an issue.

IN THIS SECTION

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Firefighter access and housing intensification

With firefighter access to infill and medium-density housing, there's more to think about than just meeting the current Building Code requirements.

BY DAVID HINDLEY, FREELANCE TECHNICAL WRITER

Fire broke out in the middle house of three homes that were being built on a back section. The 40 m driveway down to the section was 2.9 m wide, accessible for cars and a few other vehicles but not wide enough for a fire engine. Firefighters had to leave their vehicles on the street, rolling hoses and carrying equipment down the driveway to the fire.

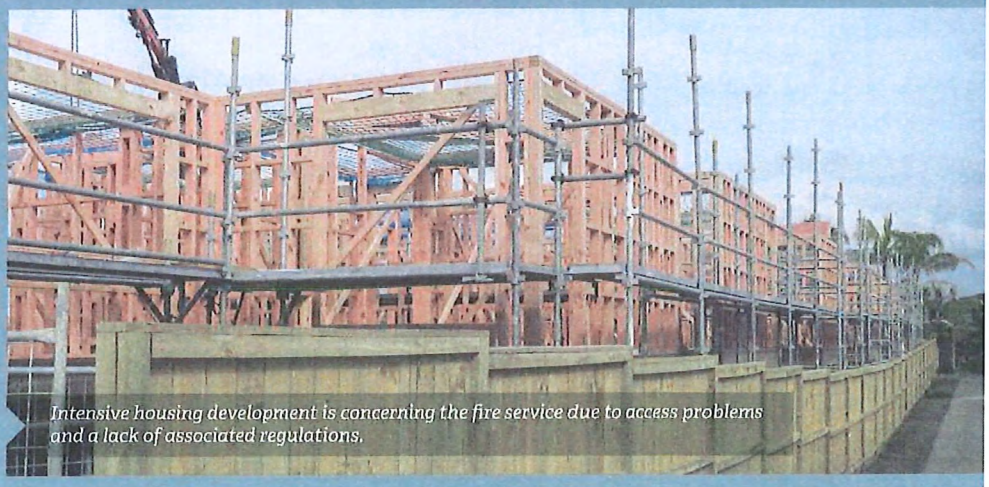
Even if fire trucks had been able to get closer to the fire, there may not have been enough space for firefighters to work around the trucks as they need to, accessing hoses and pumps, tools and equipment from both the sides and backs of the vehicles.

The new homes were considered fully compliant with the fire clause in the Building Code. For example, each was a minimum 1 m from the boundary (and therefore a minimum 2 m apart), but this was not enough to prevent significant loss. In addition to the building where the fire started being completely destroyed, three others were substantially damaged.

Access problems can delay response to a fire

'We are seeing more and more developments where it is difficult or impossible to get a fire appliance in,' Paul Richards, Fire Engineering Team Leader at Fire and Emergency New Zealand (FENZ) Christchurch, told *Build*. 'There are some long, skinny sites where the driveway can be 100 m or longer. The typical hose on a truck is 25 m long, so multiple hoses will need to be connected together. Access problems can delay firefighters' response to the fire, and there is a risk that an average fire truck may not have enough hose to reach a fire a long way from the road.' Paul also points out that careful consideration of accessibility benefits all service providers, not just emergency services.

Another concern is the more homes there are and the closer together they are, the greater the risk of fire spreading to neighbouring buildings. Firefighters will need to use more water jets to protect nearby



Intensive housing development is concerning the fire service due to access problems and a lack of associated regulations.

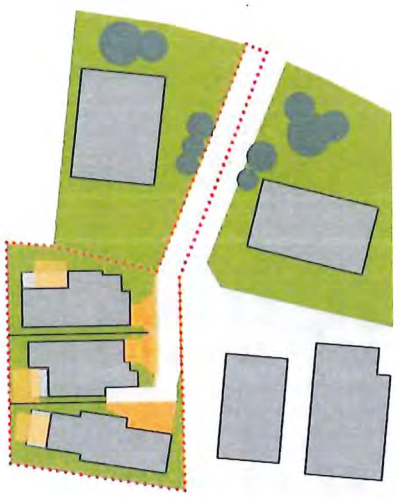


Figure 1: Housing intensification, particularly infill housing down long narrow driveways, can provide difficulties and dangers for firefighting.

buildings, which stretches the capacity of equipment and personnel as well as the water supply.

Kevin Frank, BRANZ Senior Fire Research Engineer, says the fire requirements in the current Building Code were originally put together for housing areas largely made up of single homes on quarter acre sections beside the road, but that housing intensification is rapidly changing our urban areas. 'An area that originally had 20 houses can have 140 townhouses today.'

The issues and risks around accessibility don't just apply to occupied housing but also to construction sites for infill and higher-density housing – see the article *Closer housing and construction site fire safety risk* in *Build* 195.

Planning for access and protection

To reduce the risks to building occupants, firefighters and the buildings themselves, designers need to think about fire protection measures beyond those required in the Building Code – both what fire protection is required and how firefighters can access a building without delay. These are some considerations for housing up to 3 storeys:

- Make driveways a minimum 4 m wide and not less than 3.5 m at gateways and between buildings – this is a requirement in C/AS1 for some buildings.
- Allow space so that firefighters can access the sides and back of a fire appliance once they have reached the building. While most fire appliances have ladders sufficient for fighting fires in 3-storey buildings, there needs to be sufficient space to manoeuvre the ladder to where it is required – this is not an issue addressed in the Building Code.
- Bear in mind that it is usually safer for fire appliances to operate at the corner of buildings rather than immediately in front where the building façade can collapse.
- Consider separation distances to the boundary and other buildings that are greater than the Building Code minimums.
- If greater distances are not possible, specify additional fire-rated construction and less combustible material to external façades.
- Consider specifying a residential sprinkler system.

Some relevant Building Code changes delayed

MBIE has announced that, in November this year, Building Code Acceptable Solutions C/AS1 and C/AS2 will be amended to make interconnected smoke alarms the minimum fire safety system in new household units, citing NZS 4514:2021 *Interconnected smoke alarms for houses* for installation. The changes will have a 12-month transition period ending in November 2024.

While this and changes around evacuation rules are being implemented, other proposals that mostly apply to densified housing up to 3 storeys have been put on hold pending further consultation with industry. These include proposals to:

- boost protections from internal and external fire spread
- raise fire resistance ratings when required for walls in unsprinklered buildings from 30 to 60 minutes
- include more types of multi-unit properties under the tighter rules.

While it remains to be seen if these changes will be codified, they may be worth considering as part of prudent design practice.

FOR MORE *Designers' guide to firefighting operations* (FENZ) helps ensure building designs comply with Building Code clause C5 *Access and safety for firefighting operations* and explains how FENZ is likely to undertake firefighting and rescue operations in buildings. Visit www.fireandemergency.nz/businesses-and-landlords/building-and-designing-for-fire-safety/designers-guide-to-firefighting-operations/

Accessing water from street hydrants

Fire appliances typically only carry enough water for approximately 3 minutes of firefighting work, so access to a street water hydrant is crucial. In-ground street hydrants are found in most urban areas either on the roadside or on the street itself.

Hydrant lids are yellow and hydrants typically have a 1 m yellow circular marking around them, but many people don't recognise hydrants or hydrant markings and inadvertently park over them. It is illegal to park within 50 cm of a marked fire hydrant unless a licensed driver who can move the vehicle stays with it.

Kevin Frank, also a volunteer firefighter, describes a recent call-out where the hydrant closest to the fire was blocked by a car parked over it. Another hydrant 70 m away also had a car parked over it, but a driver was located to move the vehicle.

Housing intensification often brings reductions in off-street parking that are likely to result in more street hydrants getting blocked by vehicles parked on the road. In the design of urban areas and new developments, hydrants should be located where they are not likely to be blocked by parked cars.

Firefighting capability and building height

Designers of higher-rise buildings need to understand the abilities and limitations of firefighting services and, in particular, their height capability. This is the second article in our series on firefighting and housing intensification.

BY DAVID HINDLEY, FREELANCE TECHNICAL WRITER

Perhaps not surprisingly, research has shown a correlation between the level to which firefighters can apply water to a building and the level to which there is reduced fire damage.

As urban intensification increases and rules change to permit more buildings 3 storeys and above, it becomes even more important for architects, designers and urban planners to understand the height capabilities of firefighters and their appliances.

Designers need to consider accessibility

Building design, orientation and access, materials choice, hydrant placement and so on all have an impact on how readily a fire can be approached by the fire service and how risks to both building occupants and firefighters can be reduced. From a height point of view, a building designer should ask themselves how a fire appliance would access a building, where it could safely and effectively be set up to operate from and how higher floors would be reached. This requires an understanding



Aerial appliances deliver water from height to prevent fire spreading to neighbouring buildings.

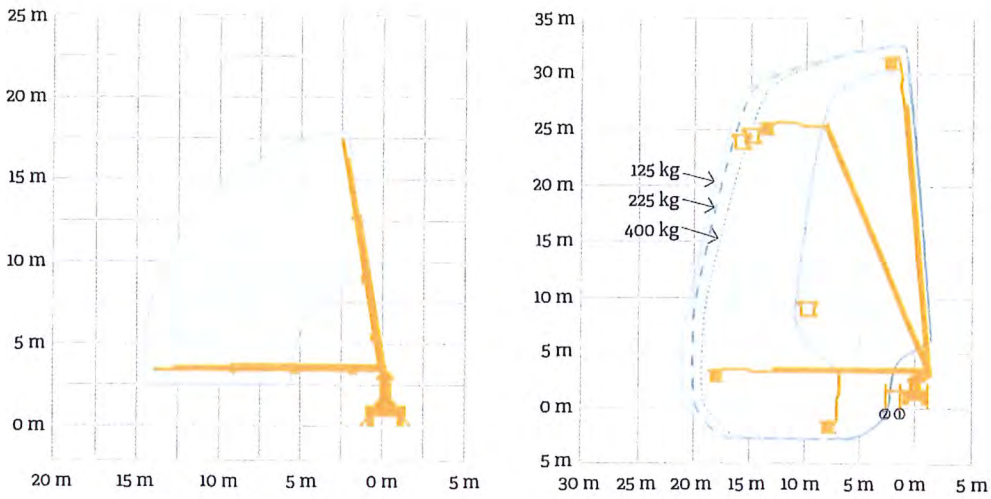


Figure 1: The approximate reach of fire appliances. Left: a ladder from a type 1 pumping appliance will reach the top of a 10 m (3-storey) building. Right: for a 18 m (6-storey) building, a type 4 appliance will reach the 4th storey and a type 5 appliance will reach the 5th storey.

of the requirements and capabilities of fire appliances.

Fire and Emergency New Zealand (FENZ) firefighting appliances are described by type:

- Types 1–3 are the pumping appliances you typically see in smaller urban areas. They have ground-based ladders that can reach approximately 10 m high, enough for rescue in most 3-storey buildings. Ground-based water jets can be directed to reach to the top windows of an approximately 3-storey building as well.
- Type 4 are appliances with hydraulic longer ladders, generally to 17 m. These can reach most 4-storey buildings. There are 18 type 4 appliances nationally, including two reliefs, from Whangārei to Invercargill.
- Types 5 and 6 are aerial appliances with ladders having an effective reach of 22 m. These can reach most 5 to 6-storey buildings. There are nine type 5/6 appliances nationally, including two reliefs, located in Hamilton, Wellington, Christchurch, Dunedin and Auckland.

As BRANZ Senior Fire Research Engineer Kevin Frank points out, this means that many reasonably sized towns don't have aerial appliances – they only have type 3 fire trucks that can reach a building height of approximately 10 m or a 3-storey building window.

Examples include Paraparaumu (around 30,000 people), Blenheim (28,000) or Masterton (around 22,000). The current trend towards densification may lead to taller buildings in these types of urban environments as seen overseas. Designers should consider the reduced firefighting capability when building in these areas.

While you might imagine that aerial appliances – and especially those with a basket at the end of the ladder – are primarily used to rescue people, this isn't their most common use. In the first stages of responding to a fire in an occupied higher-rise building, firefighters rely on sprinkler systems, internal firefighting water systems – risers – and protected pathways to get people out. Aerials are mostly used in defensive operations to deliver water from height onto a fire and to prevent it spreading to neighbouring buildings. Frequently, buildings are mostly destroyed by fire at this stage.

Aerials play a more important role in multi-floor buildings that don't have sprinklers (such as the Loafers Lodge building in Wellington, where people were rescued from a rooftop in a fire earlier this year) and less of a role in sprinklered buildings. Fire engineer Omar Abu-Hijleh says that the effectiveness of long ladders in firefighting can be overstated. 'If it is a sizeable fire, the hose from an aerial is just one stream of water. In addition, it can be difficult to get the water jet on the seat of the fire due to the walls and roof. It takes a long time to put these large fires out.'

Practical limitations on aerial appliance usage

There are also practical limitations that architects, designers and urban planners need to be aware of. As Omar told *Build*, there are urban locations where it is extremely difficult to set up an aerial appliance to fight a fire. 'You need to consider what is possible and practical in the area you are building. Designers need to understand the limitations on the fire service. Fire trucks aren't transformers.'



It usually takes longer for a larger appliance to respond to a fire. Bigger appliances:

- can have a length of 10–12 m, with working space required around that – where stabilising support arms need to be deployed, this can take the maximum overall width to 6.5 m, again with additional working space required
- require wide turning circles, which are impossible in many central city streets
- can't be set up or stabilised on sloping steep streets
- typically can't just set up in the road immediately in front of a building because of the risk of the face of the building collapsing into the street, as a 7-storey inner-city Sydney building did in a fire in May this year
- are significantly heavier.

Building Code requirements for taller buildings

Another reason for paying attention to firefighting height capabilities is the fact that fire resistance, sprinkler and combustibility requirements in New Zealand for multi-storey densified housing are significantly more relaxed relative to comparable countries such as Australia, Canada, England and USA. BRANZ report ER69 *Densified housing: analysis of fire resistance requirements* has more details: www.branz.co.nz/pubs/research-reports/er69

As an example, Aotearoa New Zealand allows a sprinklered building up to 9 storeys to have a fire resistance rating (FRR) of only 30 minutes with combustible materials generally permitted, while in the UK, the same building would require a 90-minute FRR and the external wall cannot be combustible (Table E3 in ER69).

All of these measures – the FRR, construction material type and so on – can contribute to reducing the impact of severe fires in buildings. The only back-up if these measures do not contain a fire is interior firefighting. Firefighting from within the building is not effective if the fire breaches the exterior of the building and spreads from floor to floor. If the exterior of the building cannot be reached by firefighters or hose streams in these instances, there is very little that can be done.

Water, water everywhere

Another increasing challenge for urban firefighting is water availability and water pressure, Paul Richards, Fire Engineering Team Leader at FENZ Christchurch, told *Build*, 'We are very efficient at using water, but the amount carried by a fire truck is only enough for a few minutes' firefighting.' Water from hydrants is crucial for city firefighting.

In some cases, in recent years, firefighters have found there is insufficient water or water pressure for the number of hoses they wish to use, impacting on their ability to fight a fire. Housing intensification is likely to increase demands on water infrastructure – something that local authorities need to watch closely. London firefighters believe that water supply and water pressure issues limited their ability to fight the Grenfell Tower fire in the UK where 72 people died.

FOR MORE Architects and designers should be aware of the FENZ publication *Designers' guide to firefighting operations – Emergency vehicle access*, which sets out recommendations to follow for firefighting vehicles. www.fireandemergency.nz/assets/Documents/Business-and-Landlords/Building-and-designing-for-fire-safety/F5-02-GD-FFO-emergency-vehicle-access.pdf

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Signature of Submitter:

Date: 31/10/2023

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 submission points:

Submission Point 1: High Density Residential zones (HDZ)
Our key submission points are as follows:

1. We oppose the proposed HDZ in residential areas where there is no walkable access to amenities (supermarkets, schools and public transport) as well where there is a risk of increasing natural hazards (e.g. floods and land instability).
2. We support the proposed increase in residential density in the inner city with mixed residential and commercial zones as these areas provide residents with direct walkable access to shopping and public transport services.
3. If HDZ are approved for some areas, we particularly oppose the proposed HDZ in the Tahunanui Hills area. We ask the Council to remove Tahunanui Hills from the proposed HDZ and make it GRZ because of ongoing slope instability in this area, lack of infrastructure, lack of the essential amenities (no supermarkets or public transport) within walking distance, and the increased likelihood of slips directly caused by intensification development and frequent weather events.
4. We ask the Council to make sure all proposed HDZ have walkable access to a supermarket (not a local diary). For example, Christchurch planners are only proposing HDZ within 800m of a supermarket.
5. We ask Council to ensure a minimum of two storey dwellings be built on all new green field developments. E.g. Golden Elms in Toi Toi, Ngawhatu Valley and Marsden Valley. Infrastructure is easier and cheaper to develop on flat land and would provide more housing without affecting neighbouring properties.
6. We support the establishment of multi storey or underground car parks to free up more land within the inner city for development..
7. We 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.

Reasons for our opposition to the proposed Tahunanui High Density Zone

1. **Slope instability**

We were informed by the NCC planner that there was no consideration of geotechnical issues when deciding on the proposed zoning of the area. Our biggest concern is that high density development will increase the potential severity of future slips on the Tahunanui Hills. The proposed HDZ in the

Tahunanui Hills is an area potentially affected by significant natural hazard of slope instability. Plan change 29 Housing and Hazards on the Nelson City Council website stated that intensification should not include areas potentially affected by significant natural hazards:

> *"Enabling the intensification of development on land currently zoned for residential and commercial uses (Residential Zone, Inner City Zone, and Suburban Commercial Zone), that is not within areas potentially affected by significant natural hazards"*

There is an instability hazard overlay on 8 of the properties out of the 44 in the new proposed HDZ for Tahunanui Hills. This includes 4 Tamaki Street, 113 and 111 Tahunanui Drive, and 13, 15, 17, 23 and 19 Tosswill Rd. Beca's 2022 report on slope instability said that damage observed along these old sea wall slopes post-August 2022 indicate they pose an elevated risk due to over-steepened slope profile and weathering.

Furthermore, all of the properties covered by the proposed HDZ have a condition (Condition 1) on their property title with the Council. Condition 1 is on the NCC NRMP register and states that the land may be of suspect stability and conditions must be in place including geotechnical reports for any developments. This has resulted in geotechnical reports being completed where property owners have undertaken development. Geotechnical reports have recognised the instability of the steep hill and required extensive foundations and work even for single story buildings. The proposed hazard overlays for slope stability do not include these Condition 1 properties but that does not mean there is no risk now especially with higher intensity of rainfall and intensification of the land. Beca produced a slope stability report in 2021 that stated regarding the Tahunanui Hills that (emphasis added):

> *"The distribution of mapped landslide deposits identifies locations of deep-seated landslides which may be re-activated during heavy rainfall, seismic events, and/or due to construction activities.*
>
> *Triggers for slope movement may include rainfall, earthquakes, physical and/or chemical weathering, and land development"*

Many properties in the proposed HDZ have already experienced slips, such as at Tosswill Road where slips have blocked Tosswill Road several times (see Figure 1 attached to this submission). Many owners have geotechnical reports that show areas unsuitable for building and where remedial action may be needed.

Dr M. R. Johnston Consulting Geologist (report produced in XX) recommends that all developments in hill areas other than minor structures and earthworks involving cut and fill faces less than 1m in height and thickness and/or fill comprising no more than $3m^3$, on sloping ground be subject to geotechnical input so as to minimise the risk of slope instability:

> *"It is recommended that the Hill area is requiring geotechnical assessment or Geotechnical assessment requirements for hillsides…*
>
> *One specific geotechnical condition is C418 that applies to the abandoned sea cliff that extends along the former waterfront from Annesbrook to Tahunanui. These cliffs are cut in relatively weak rock whose stability is decreasing as weathering progresses. The areas referred to in C418 could be, subject to a revision of its boundaries, incorporated into a slope risk overlay"*

We developed our Tamaki Street section 27 years ago. We had a geotechnical report prepared due to the potential instability of the hill. Our report showed that only part of the section was deemed suitable for building. The unsuitable land is now in trees that support the hillside. We have observed in dry weather large cracks on the dirt and grass around our house and other houses on the hill (see Figures 2 and 3 attached to this submission). We have cracks in our concrete and in neighbours concrete due to movement on the hill.

During our 17 years of living in Tosswill Road, we have experienced a number of high rainfall events where access to our home has been cut off after slips have occurred on both sides of Tosswill Road and on Tamaki Street. On one occasion we stood up to our knees in muddy slip mud and debris

helping a neighbour trying unsuccessfully to divert a slip going through their basement. We have often watched water pour down steep Tamaki Street after a storm. We have observed weeping coming through new seal in lower Tamaki Street from small springs after heavy rain. Seismic activity combined with a storm event in a high-density area could be a disaster as mentioned in several reports on the Tahunanui slump.

There has been no geotechnical input into what intensification (of up to six-storeys) will do to the stability of the Tahunanui Hills. Climate change will increase adverse weather events with even greater potential to create slips on the hill.

The Beca Report on slope stability zones (dated 9/12/2021) recommended future work for land earmarked for future development as follows (underlines added):

1. The physical extent of the slope instability overlay may additionally be expanded to include areas of interest outside those included in this study, such as land earmarked for future development.
2. The overlay set out in the Beca report has been prepared from desk study only. refinement of the instability and run-out zones may be completed from field mapping. This step may be applicable for developed areas on land particularly prone to landslides and/or land earmarked for future development.
3. Report does not identify full extent of areas impacted by slope instability across hillslopes
4. Risk assessments require additional considerations, including likelihood of slope failure and the potential consequences to a particular element at risk. Neither of these are considered in our susceptibility overlay given its primary purpose is to inform the need for further geotechnical assessment.
5. Does not show deep seated failures (i.e. Tāhunanui Slump), nor areas of hill creep. The maximum downslope extent of solid debris difficult to determine.
6. Tāhunanui - An extensive scarp formed along the head scarp of the Tāhunanui slump core below Princes Drive. Deep seated movement impacting multiple residential properties was recorded in this area. Shallow slope failures were additionally observed along the abandoned sea cliff along Tāhunanui Drive and near Port Nelson

2. Amenities

The NCC planning team stated that the Tāhunanui Hills were chosen for the proposed high-density development because of their closeness to amenities. The amenities referred to (being the school and shops) are down a steep set of stairs and across State Highway 1, not easily accessible for young families, the elderly, or the mobility impaired without a vehicle. There are no supermarkets within walking distance of the proposed HDZ in Tāhunanui which would be a serious issue for all the HDZ residents with no vehicles.

3. Traffic

The Tāhunanui Hills is serviced by narrow, winding streets which in our opinion are inappropriate to service high traffic volumes. NCC recently installed speed bumps along Tosswill Road to slow down traffic which uses this road as a thoroughfare to and from Nelson City. The road is very narrow and from our time living here, we have seen a number of incidents and near misses due to the narrow winding nature of the road where cars often cross the centre line. In addition, accessing Tāhunanui Drive from Tosswill Road can be very difficult and dangerous and would need significant upgrading before this scale of development could be accommodated on the hill. We consider that the potential traffic produced by high-density development in this area has not been considered in enough detail as to whether it is appropriate. The same is likely for other infrastructure provisions to the area, such as Three Waters servicing. There are a number of reoccurring slip zones onto Tosswill Rd that make it even more dangerous.

4. Sunlight and Shading Effects

Sunlight is an essential part of living in Nelson and why we chose to live on the Tāhunanui Hills. Our house has been built for the sun and for the garden to receive sun. It will be subjected to the loss of sunlight by neighbouring intensification with the following possible effects:

- The front of our house, which is facing north, could have 6 story high apartments one metre from the boundary completely enclosed our property in a very high box of buildings. This could compromise our health.
- Hill properties like ours already have additional shading issues directly from the hill which is another reason for not having high density development on hills.
- The lack of sunlight could result in existing homes becoming dark and damp with associated mould and mildew.
- Our house could lose property value if it is surrounded on all sides by apartments. We still have a mortgage so there will be increased financial stress if this is to occur.
- Privacy and outlook is a critical part of enjoying a property.

5. Trees and Gardens in the Tāhunanui Hills HDZ

There are many established large trees (over 6 metres high) in this Tāhunanui Hill HDZ that are helping stabilise the ground and providing a habitat for our native birds. These will be lost when there is no sun to support their growth or removed to make way for intensive development.

We have counted the large trees in the Tāhunanui Hill high density zone and there are approximately 1200 trees over 6 metres in height. They form part of the green garden canopy. There are direct benefits for maintaining and increasing leaf area index, or green spaces, in our suburb particularly with climate change increasing temperatures and heat extremes. Access to green spaces leads to an improvement in mental and physical wellbeing. Trees help with air pollution. They also play a vital role in storing and filtering water which helps prevent slips on the hill.

Trees provide a habit for our native birds, thus improving biodiversity in our urban setting. The Tāhunanui community has actively been killing rats and we now have established communities of Weka, Tui, Kereru and Piwakawaka. We see these birds every day on our property. Their habit could be destroyed with high density development. Most Tāhunanui Hill residents have productive gardens with fruit and nut trees and vegetables which will no longer be viable with the shading.

6. Recreation

Tamaki Street is one of the steepest streets in New Zealand and it has over 400 steps at the top to Princess Drive. Many walkers, runners, tourists and locals walk daily from the bottom of Tamaki Street up the hill for fitness, well-being and to enjoy the peaceful beautiful view down the hill to the sea. We estimate around 100 walkers a day walk up and down Tamaki Street. They enjoy the established gardens and birdlife. This city walking trail could become more shaded and dangerous with increased shading, reduced amenity and traffic from the intensification.

7. Intensification

It will be expensive for developers to fulfil the requirements to build 6 storey buildings on the hill. The resulting apartments therefore would be fewer in number and expensive to buy. The Tāhunanui HDZ could easily become developments of expensive holiday apartments that sit empty for long periods. This does not solve our intensification, growth and affordability dilemma, and yet it locks up our valuable housing resource.

We are opposed to new 'green field' developments being used for only single storey dwellings as it is a complete underutilisation of land that can accommodate increased intensification without affecting existing suburbs. The inner city should be the starting place for the most significant intensification before moving onto existing residential neighbourhoods.

The Plan Change 29 Process

In our opinion, the PC29 process needs to be paused and reevaluated before progressing to the hearing stage. This is for the following reasons:

- We have found the lack of early public engagement and consultation on Plan Change 29 extremely stressful. For example, we will be severely affected by our property in the Tāhunanui Hills being zoned high density with 6 story apartments covering the sun the of our property. We only found out about the plan change by chance through a neighbour. There was no letter or email from the Nelson City Council. When we questioned this we were told we should have read the Nelson Evening Mail and we should have been looking on the Nelson City Council website. We have still received nothing by email or letter from the Council about the proposed change plan to our property.
- We question why the hearing panel is not made up of independent hearing commissioners as it is a council led plan change.
- The forecasts used by NCC for population growth which have informed the intensification requirements are not Statistics NZ medium projections.

Given the above, we request the following:

1. We are asking Council to withdraw PC29 and have planning staff refine the plan design and follow the proper procedure of consultation and public engagement.
2. We ask the Council to appoint independent hearing commissioners for the plan change.
3. We ask the Council to use Statistics NZ medium projection forecasts and amend its intensification requirements accordingly.
4. We ask the Council to inform all rate payers individually with emails and letters about any changes to their property zoning and to give each ratepayer the opportunity to respond.

Thank you for the opportunity to submit on PC29.

Lilia and Eugen Grab

31/10/23



Figure 1: This property in Tosswill Road will be zoned high density suitable for 6 story apartments. The property has regular slips and has 2 hazard slip overlays



Figure 2: Trees plants on unstable land on Tamaki Street

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Waka Kotahi Submission on Nelson City Council's Plan Change 29, Housing and Hazards

31 October 2023

Nelson City Council
Civic House, 110 Trafalgar St, Nelson
PO Box 645, Nelson, 7040

Attn: Senior Planning Administrator
Via email: environmental.planning@ncc.govt.nz

Name of submitter: The New Zealand Transport Agency (Waka Kotahi)

This is a submission on Nelson City Council's (**Council**) Plan Change 29 (**PC29**), which seeks to amend the Nelson Resource Management Plan (**NRMP**) to implement the National Policy Statement on Urban Development 2020 (**NPS-UD**).

Waka Kotahi wishes to be heard in support of this submission.

If others make a similar submission, Waka Kotahi may consider submitting a joint case.

Waka Kotahi could not gain a trade advantage through this submission.

Waka Kotahi is **supportive** of PC29. The Waka Kotahi view on specific topics and relief sought is set out below.

1.0 Waka Kotahi role and responsibilities

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (**LTMA**). The objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.

- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

Waka Kotahi has a role in the delivery of the Emission Reduction Plan (Te hau mārohi ki anamata) and the National Adaptation Plan (Urutau, ka taurikura: Kia tū pakari a Aotearoa i ngā huringa āhuarangi). Within these plans are several key policies and targets for adapting to and mitigating the effects of Climate Change. The integration of land use and transport will be key in reducing emissions and ensuring the transport system is resilient.

Waka Kotahi interest in this proposal stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand;
- A planner of the land transport network to integrate one effective and resilient network for customers;
- Provider of access to and use of the land transport system to shape smart, efficient, safe and responsible transport choices; and
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

2.0 Government Policy Statement on Land Transport

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (**GPS**). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. For these reasons, Waka Kotahi seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.

To deliver on Government Outcomes (including NPS-UD, GPS), Waka Kotahi has developed and is developing a number of strategies and plans relevant to achieving integrated planning outcomes, including Arataki - our 30 year Plan, Toitū Te Taiao – Our Sustainability Action Plan, and our Urban Development Position Statement.

3.0 Waka Kotahi high-level view of the proposal

Waka Kotahi is **supportive** of PC29. The Waka Kotahi view on specific topics is set out below.

Waka Kotahi supports the intent and content of the National Policy Statement on Urban Development (NPS-UD). This Policy Statement recognises the national significance of having well-functioning urban environments that enable people and communities to provide for their social, economic and cultural well-being and for their health and safety. The NPS-UD has a strong focus on ensuring that increased densities are provided in the most accessible parts of urban areas, where communities are able to access 'opportunities' such as services, education, employment and recreation by active and public transport modes.

4.0 The application of 'walkable catchment' and distribution of densities

An accessibility assessment was undertaken to inform the spatial extent of the proposed zones. Walkability to employment, education, and recreation opportunities was a key criteria in determining the suitability of intensification near the City Centre, Stoke and Tāhunanui. This approach is supported by Waka Kotahi. It is considered that the proposed catchment sizes will enable the realisation of benefits associated with high densities, including access to services, employment and recreation. A large base population will also support existing and future public and active transport mode initiatives.

With respect to Stoke and Tāhunanui, intensification is proposed with some provision for nearby commercial activities, to provide for people's day-to-day needs within a walkable catchment. There is also good connections from these suburbs to both Richmond and the Nelson CBD via public transport and active mode transportation routes.

5.0 Noise Reverse Sensitivity

Noise generated by state highway traffic can adversely affect the health and wellbeing of people and communities. This is a position supported by the World Health Organisation and Waka Kotahi Research Report 292.

Council has proposed a rule requiring noise attenuation for new dwellings and alterations to existing dwellings in all Residential zones near a state highway. Waka Kotahi strongly supports the intent of these provisions. Council has proposed a 100m noise effects area measured from the edge of the nearest marked traffic lane of any state highway. During early engagement with Council, Waka Kotahi specifically sought this 100m sensitivity zone, but noted that acoustic modelling work was underway to identify more accurate noise sensitivity zones based on noise contours. Variable setbacks based on modelling more accurately reflect the unique circumstances of each receiving site (e.g. topography) and the extent of noise generated by the state highway, rather than relying on a uniform 100m setback.

Waka Kotahi has now completed this acoustic modelling and therefore seeks that the 100m setback be replaced with the variable noise sensitivity overlay. The variable noise sensitivity zone is illustrated in **Attachment 1**. Shape files of this overlay have been provided to Council.

This amendment would not increase the extent of the noise sensitivity zone currently proposed in PC29. This is because the overlay has been capped at a maximum of 100m from the state highway carriageway, with many sections being less than 100m. This cap has been applied so as not to unduly constrain development capacity.

6.0 Nelson City Council Future Development Strategy

Tasman District Council and Nelson City Council have adopted the Nelson Tasman Future Development Strategy 2022-2052 (NTFDS). The Councils are currently developing their Future Development Strategy (FDS) implementation plan. This will include specific actions setting out prioritisation and staging of urban development in their respective districts. Waka Kotahi considers that PC29 provides an enabling environment for delivery of this.

7.0 Proposed objectives, policies, methods, rules, assessment criteria and zoning

The following proposed provisions in particular are supported by Waka Kotahi:

- **Extent of High Density Residential and Medium Density Residential zones.** Waka Kotahi is generally supportive of the proposed high and medium density residential zones in close proximity to the Central City, Tāhunanui and Stoke, all with easy access to public transport.

Waka Kotahi also supports the proposed "Inner City - Centre" rezoning of the St Vincent Street / Vanguard Street locality. This is an appropriate area for residential growth close to the city centre. Providing for mixed use in this locality will allow for existing activities, while allowing a transition to commercial/residential.

- **Policy DO10.1.7: Pedestrian, micromobility and bicycle traffic.** A safe, pleasurable and convenient network for pedestrian, micromobility and bicycle traffic should be developed and maintained as an integral part of the land transport system, and to encourage the use of transport modes other than private motor vehicles.
- **Policy DO14.3.1: Roading.** Subdivision and development should provide for:
  - The integration of subdivision roads with the existing and future road network in an efficient manner, which reflects the function of the road and the safe and well-integrated management of vehicles, cyclists, micromobility users and pedestrians, and
  - Safe and efficient pedestrian or vehicle access to all lots created by subdivision and to all developments.
- **Method DO14.3.1.vii:** Use of financial contributions (Chapter 6) and/or LTP development contributions to acquire or upgrade vehicle, passenger transport, pedestrian, micromobility, cycling and amenity linkages where appropriate and not otherwise provided by the subdivision or development (note: these may also be provided by means other than financial contributions). The Council's Nelson Development Strategy will inform the prioritisation of the works and projects facilitated through the LTP to ensure development occurs in a sustainable manner.
- **Policy RE1.7 Medium Density Residential Zone:** Enable medium density residential living that increases housing supply and choice on land within walking distance of the Inner City, City Fringe and Suburban Commercial zones with a planned built character of residential buildings generally up to three storeys; with supporting small scale commercial activities.
- **Policy RE1.8 High Density Residential Zone:** Efficiently enable high density residential living that increases housing supply and choice on land within close walking distance of the Inner City and Suburban Commercial zones with a planned built character of residential buildings generally up to six storeys; with supporting small scale commercial activities.
- **Assessment Criteria: REr.38A Cycle Parking:** Cycle Parking must be provided and maintained on each site in accordance with the standards set out in Appendix 10 - Standards and terms for parking and loading.
- **ICr.37A Maximum building height - Inner City Zone:** Waka Kotahi supports the increased height limit for the Inner City zone, to provide for greater density and urban living in close proximity to services and facilities.

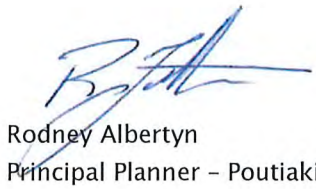
Further changes sought by Waka Kotahi:

- **REr.18B.3, REr.17B and REr.19B: Four or more dwellings in the General, Medium Density and High Density residential zones.** Larger-scale developments should be encouraged to think more broadly about transport options for future residents. Travel demand management (e.g. shared home-office space, bookable vehicles), providing for alternative modes and connectivity to public transport should all be considerations in those applications. Waka Kotahi therefore seeks that an additional bullet point in the assessment criteria enabling consideration of whether modes other than private vehicles are provided for, including cycle garaging, travel demand management and accessibility of public transport stops.

- **REr.43A: State Highway Noise – Acoustic Insulation:** Amend REr.43A.1.a. to refer to the modelled noise sensitivity zone instead of the 40m and 100m sensitivity zones. There are a number of ways that this change could be formatted, and we wish to discuss options with Council. Also, inclusion of the modelled noise sensitivity zone on the District Plan Maps.

Waka Kotahi thanks Nelson City Council for the opportunity to make a submission on PC29. To discuss this submission, please contact me at rodney.albertyn@nzta.govt.nz.

Signature of the person authorised to sign on behalf of the submitter:



Rodney Albertyn
Principal Planner – Poutiaki Taiao / Environmental Planning

Address for service:
Waka Kotahi, NZ Transport Agency
Contact Person: Rodney Albertyn
Email: Rodney.albertyn@nzta.govt.nz

Attachment 1 - Variable Noise Sensitivity Overlay

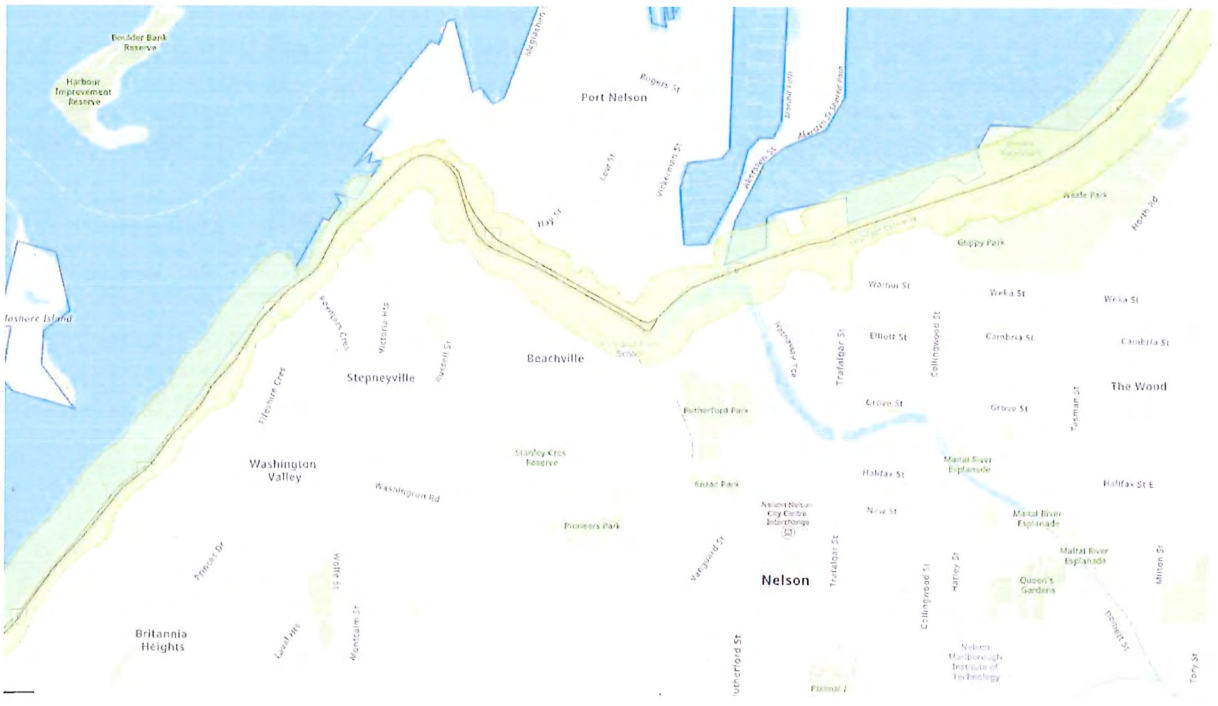





Delaware Bay Reserve
Glenduan
Glen Rd
Glen Rd
Cable Bay Rd
Cable Bay Rd
Wakapuaka
Todds Valley
Raymers Rd
Marybank
Whangamoa Reserve
Mt Richmond Forest Park
Lud Valley Rd
Thomas Rd
Slater's Rd
odson Valley

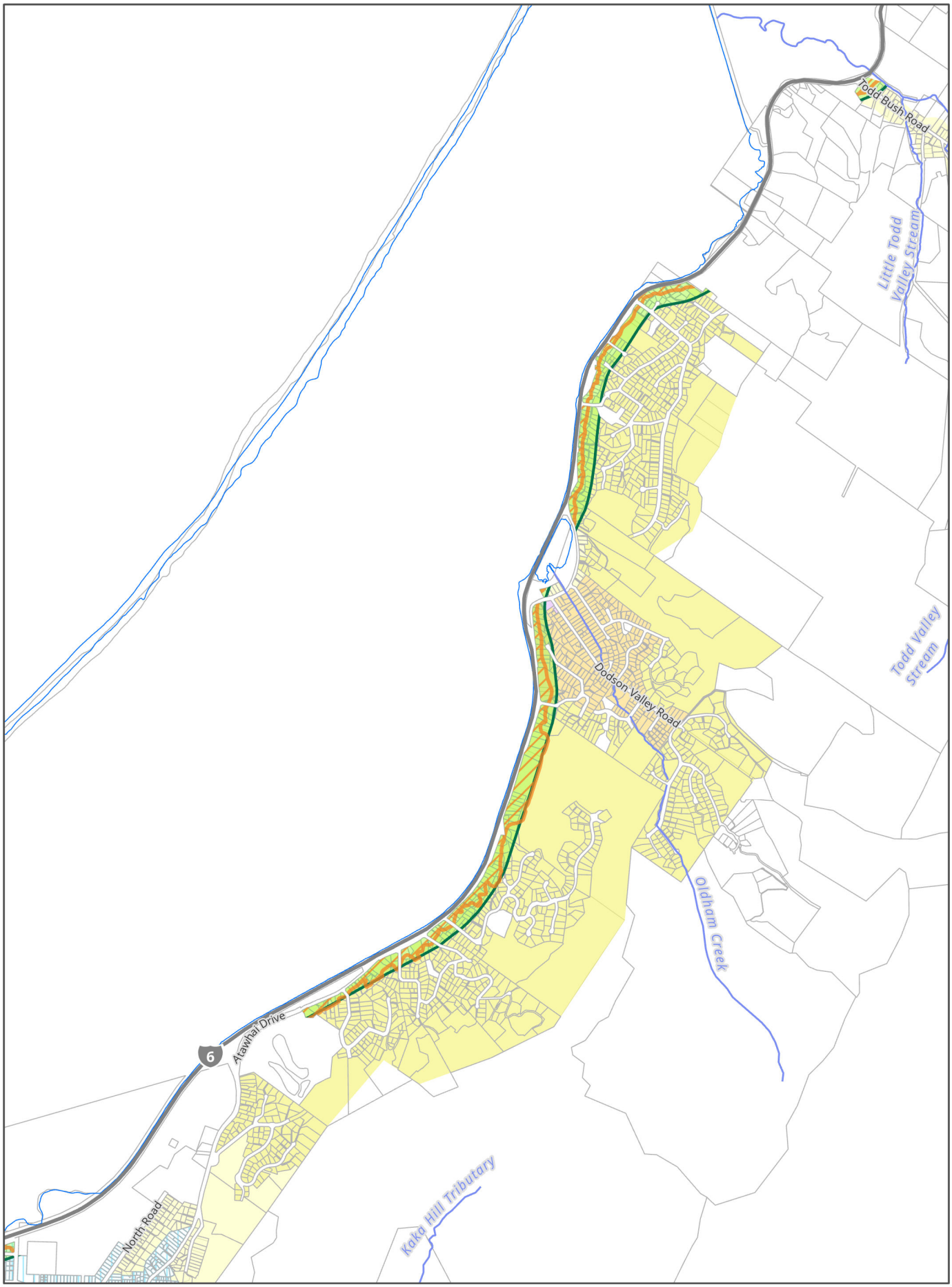

Deloware Bay
Mount Richmond Forest Park
Kokorua Rd
Delaware Bay Reserve
Bay Rd
Mount Richmond Forest Park
Lower Flowers Rd
Mount Richmond Forest Park
Mount Richmond Forest Park


Nelson Airport
Quarantine Rd
Vivian Pl
Maire St
Windsor Dr
Maire Stream Reserve
Dakota St
Trent Dr
Venice St
Quarantine Rd
Kowhai Ave
Walmea Rd
Railway Reserve
Exeter St
Ferguson St
Jellicoe Ave
Nayland College
Nayland
Norwich St
Norwich St
Leicester St
Birchwood School
Broadgreen Intermediate School
Broadgreen School Field
Nayland Primary School
Main Rd Stoke
Wakatu
Waterhouse Reserve
Austen Ward Hts
Easter Glynn School
Torlesse St
Coster St
Arapiki Rd
Beatsc Reser


Boulder Bank Reserve
Harbour Improvement Reserve
Port Nelson
Rutherford Park
Anzac Park
Pioneers Park
Stanley Cres Reserve
Stepneyville
Beachville
Washington Valley
Britannia Heights
Nelson
The Wood
Queen's Gardens
Miltal River Esplanade
Trafalgar St
Collingwood St
Halifax St
Grove St
Elliott St
Cumbria St
Weka St
Waltau St
Nile St
Nelson Marlborough Institute of Technology


Wastney Tce
Atawhai
Toi Glen
Dodson Valley
Nelson Haven
Boulder Bank Reserve
Brooklands
Akersten Foreshore
Akersten St


The Wood
Washington Valley
Nelson
Nelson East
Moana
Toi Toi
Mount St
Nelson South
The Brook
Tāhunanui
Murphy St
Princes Dr
Rabbit Island Reserve
Nelson Golf Course
Golf Rd
Blind Channel
Nelson Airport
Bishopdale
Walmea Rd
Beatson Rd
Monaco
Polat Rd
Nayland
Wakatu
Enner Glynn
Nayland Rd
Market Rd
Saxton Island
Maitlands
Isel Park
Marlowe St
Stoke
Orphanage Stream Esplanade
Saxton Creek Esplanade



Waka Kotahi - SH6 Noise Overlays - Atawhai

Plan Change 29

Nelson City Council | Te Kaunihera o Whakatū

Proposed Waka Kotahi Road Noise Overlay Jan 2024

PC 29 – Proposed Acoustic Insulation Requirement – 100m from the State Highway

Property Boundaries

0 200 400 600 m

Scale 1:25,000

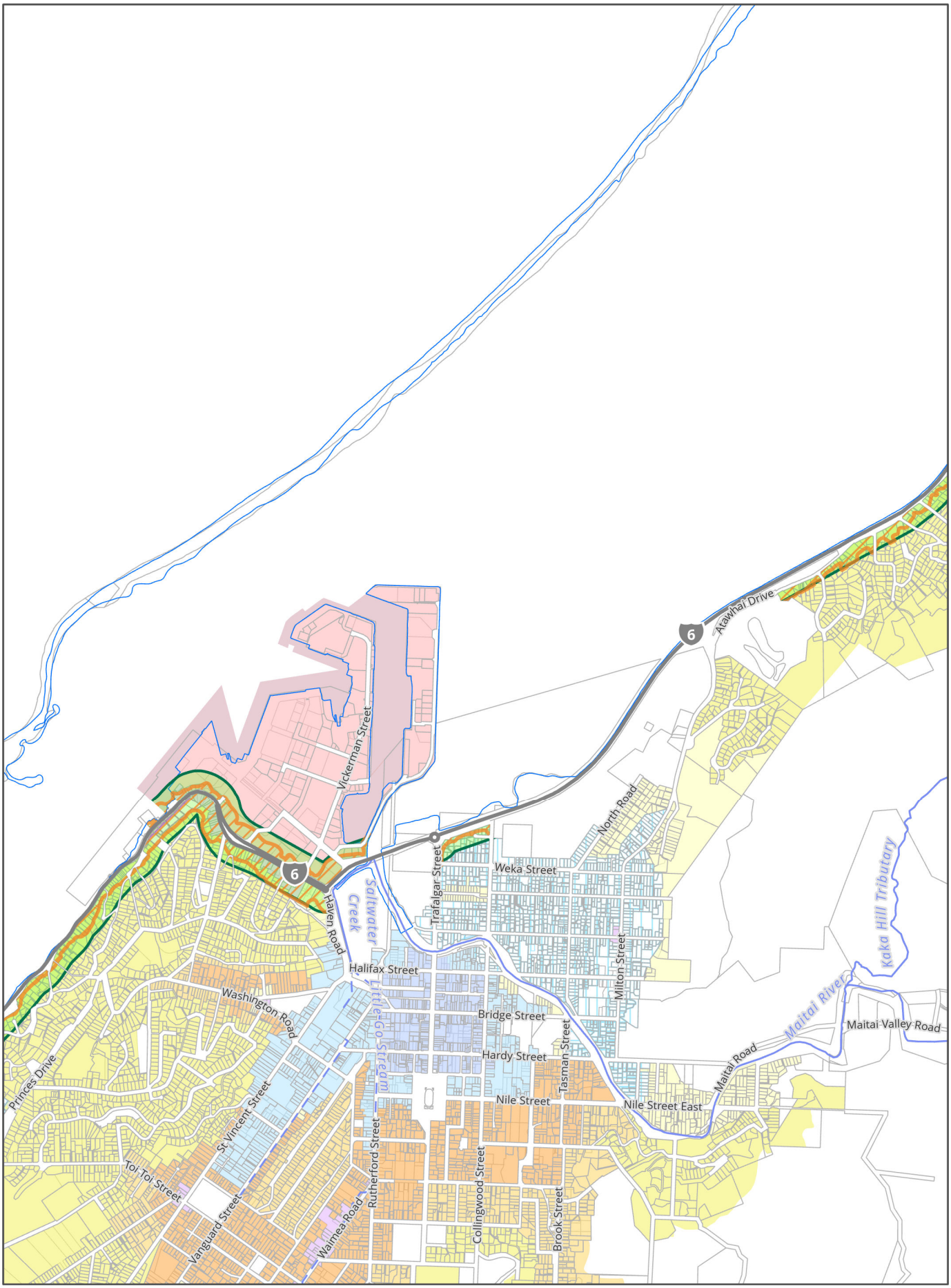
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February 2024

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Waka Kotahi - SH6 Noise Overlays - Nelson

Plan Change 29

Nelson City Council | Te Kaunihera o Whakatū

Proposed Waka Kotahi Road Noise Overlay Jan 2024

PC 29 – Proposed Acoustic Insulation Requirement – 100m from the State Highway

Property Boundaries

0 200 400 600 m

Scale 1:25,000

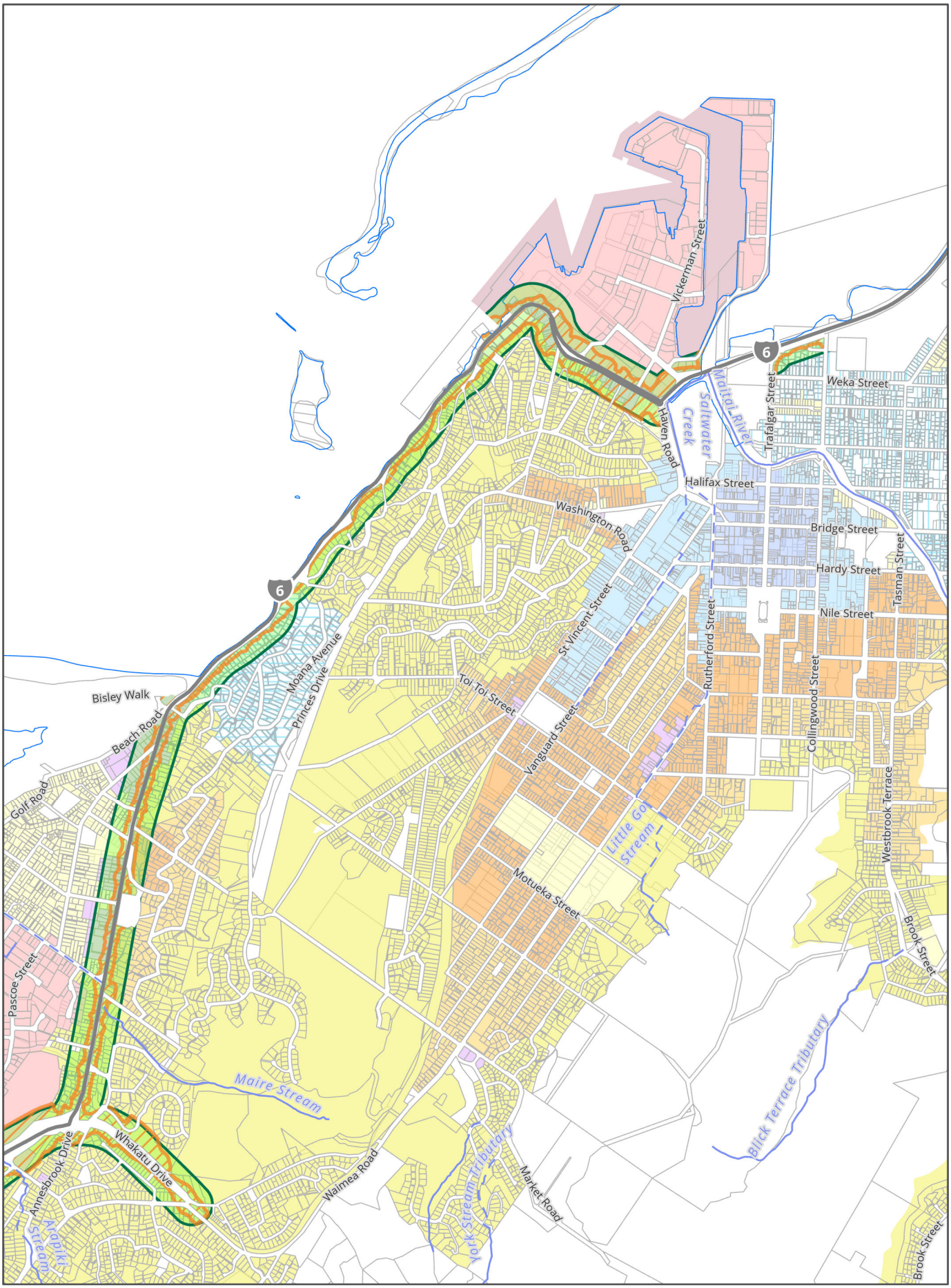
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February 2024

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Waka Kotahi - SH6 Noise Overlays - Port Hills & Tahunanui

Plan Change 29

Nelson City Council | Te Kaunihera o Whakatū

Proposed Waka Kotahi Road Noise Overlay Jan 2024

PC 29 – Proposed Acoustic Insulation Requirement – 100m from the State Highway

Property Boundaries

0 200 400 600 m

Scale 1:25,000

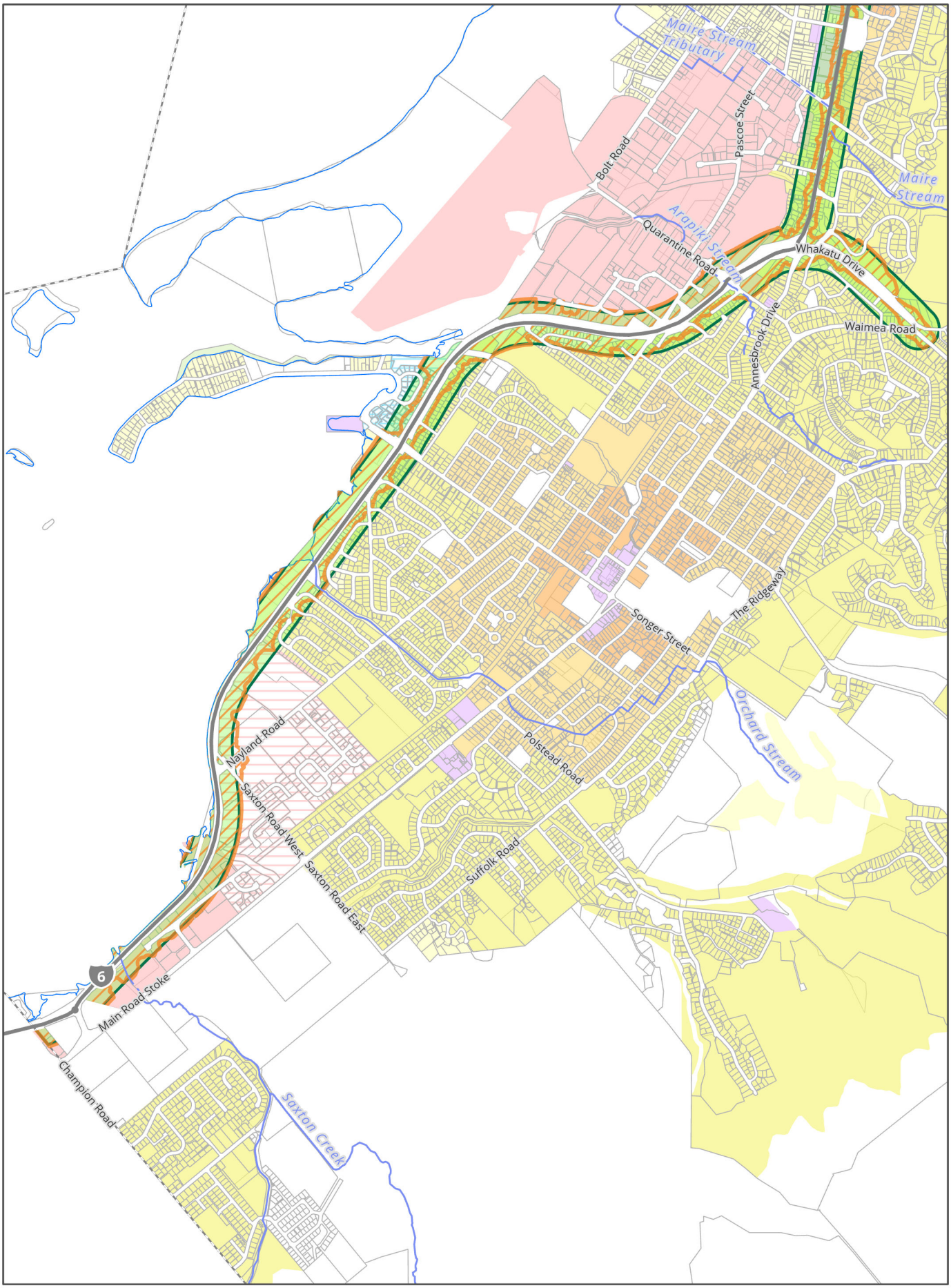
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February 2024

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Waka Kotahi - SH6 Noise Overlays - Stoke

Plan Change 29

Nelson City Council | Te Kaunihera o Whakatū

Proposed Waka Kotahi Road Noise Overlay Jan 2024

PC 29 – Proposed Acoustic Insulation Requirement – 100m from the State Highway

Property Boundaries

0 200 400 600 m

Scale 1:25,000

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February 2024

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RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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: S895
Date Received Stamp: 31/10/2023
NDOCs No: 539570224-18225

*Required

Submitter Details

Full Name*	Richard John Harden + Rachel Hadley Reese		
Organisation			
Contact Person	Rachel Reese		
Postal address*	)		
Telephone*		Email*	rachel@rachelreese.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)

31/10/2023
Date*

Richard Harden and Rachel Reese

Email: rachel@rachelreese.co.nz

31 October 2023

Senior Planning Administrator

RMA Plan Submissions
Nelson City Council
Freepost 76919
PO Box 645
Nelson 7040

Submission to Plan Change 29 – Housing and Hazards

Kia ora Senior Planning Administrator

Our submission is about Plan Change 29 – Housing and Hazards.

We wish to be heard in support of this submission.

Our submission relates to Residential, Natural Hazards/Climate Change, and Mapping Provisions of Plan Change 29.

We oppose the Plan Change in part. We request amendments to the Plan Change.

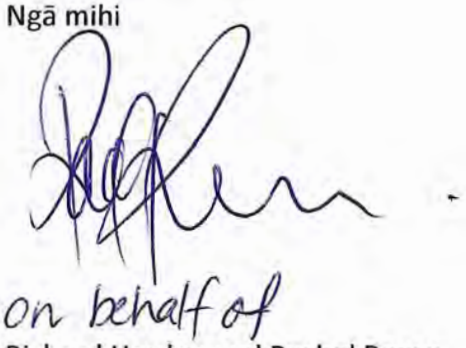
Our reasons for submitting in opposition to the Plan Change 29 are:

- The Plan Change does not accurately reflect the natural hazards that are relevant to our property at 4A Allan St and the surrounding environment. The mapping is not supported by the evidence base and on-site investigations.
- The Residential and Natural Hazards/Climate Change policies, objectives and rules will impact our property unfairly because of the inaccuracies.
- This is particularly so for matters in relation to earthquake fault lines/zones/overlays, and potentially for slope instability.

We seek the following decision from the council:

- Accurate mapping of natural hazards, specifically earthquake fault lines/zones/overlays, and potentially slope instability, to remove these areas from our property and surrounds.

Ngā mihi



on behalf of
Richard Harden and Rachel Reese

Received: 31/10/2023
Sub No: S896
NDOCS-539570224-18232

Ngāti Rārua
Te Rūnanga o Ngāti Rārua
Kia atawhaitia i te tangata i muri i a ahau, kia pai te noho

SUBMISSION ON PROPOSED PLAN CHANGE 29 – HOUSING & HAZARDS

Proposed amendments to the Nelson Resource Management Plan

TO: Planning Administrator
RMA Plan Submissions
Nelson City Council
Submitted via email to: environmental.planning@ncc.govt.nz

SUBMITTER: Te Rūnanga o Ngāti Rārua

Introduction

1. Ngāti Rārua descend from the Tainui waka and originate from the western coast of the King Country region. The origins of Ngāti Rārua are traced by whakapapa back to the eponymous ancestor Rāruaioio. Ngāti Rārua tupuna came to Te Tauihu o te Waka a Māui (Te Tauihu, the top of the South Island) in the 1820s and 1830s as part of the great southward migration of the Kawhia and Taranaki iwi. Ngāti Rārua were participants in a series of war parties or tauā that came to Te Tauihu. These were followed by heke of occupation, whereby Ngāti Rārua were established as mana whenua in Te Tauihu and down the West Coast.

2. By 1840, Ngāti Rārua were resident in the Cloudy Bay and Wairau districts in eastern Te Tauihu. In western Te Tauihu, Ngāti Rārua maintained seasonal and permanent kāinga at Whakatū, Motueka, Moutere, Aorere and West Whanganui/Taitapu.

3. Ngāti Rārua marae today are: Onetahua Marae (Te Ao Mārama), Tākaka; Te Āwhina Marae (Tūrangāpeke), Motueka; Whakatū Marae (Kākati) , Nelson; Hauhunga Marae (Parerārua), Blenheim; and Wairau Pā (Wairau), Blenheim.

4. The Ngāti Rārua Iwi Trust was estbablished in 1992 and in 1996 the historical Treaty claim WAI 594 was lodged with the Waitangi Tribunal. The claim settlement was signed and celebrated at Hauhunga in 2013. Te Rūnanga o Ngāti Rārua was established as the overarching identity for the Ngāti Rārua Iwi Trust, Ngāti Rārua Settlement Trust and all other Ngāti Rārua iwi entities. Te Rūnanga o Ngāti Rārua is active today working for the wellbeing, prosperity, and sustainability of Ngāti Rārua whānau, hapū, iwi and rohe. Te Rūnanga o Ngāti Rārua manages an extensive portfolio of assets including aquaculture, horticulture and forestry enterprises.

5. Te Rūnanga o Ngāti Rārua is the mandated voice and representative for the collective interests of Ngāti Rārua.

Ngāti Rārua Association with Whakatū / Nelson

6. Ngāti Rārua tūpuna occupied Whakatū / Nelson after their arrival in the 1820s and 1830s. The area was primarily used as a seasonal fishing station. What is now called Nelson Haven was a feeding ground for fish and its rocky reefs were laden with mussels. Fish would be dried and salted for winter. Some cultivations were established in support of the fishing operations, including along the Maitai River and other localities such as the mouth of Washington Valley, currently located in Nelson city.

7. The Maitai River is known to Ngāti Rārua as the Mahitahi. Traditionally, mahinga kai, rongoā, weaving and building materials were plentiful in the Mahitahi River. The natural resources gathered in the catchment attracted tūpuna from as far as Motueka. Whānau would camp and harvest the plentiful supply of resources found in the estuary, the channels and wetlands at the mouth of the Mahitahi and the adjacent lowland valley forests. The rich ecosystems provided habitat for many different bird, plant, berry and fish species. Podocarp forest stands provided iwi with tall trees for building and carving purposes. Argillite found along the Nelson Mineral Belt, including the Mahitahi Valley, formed an important resource for tools for fishing gear, drill points, adzes, chisels, hammer stones and ornaments. Of great significance is the mātauranga used to gather and cultivate such resources. The Mahitahi River and its tributaries provided tūpuna with natural ara (pathways) through the rohe. The main route to Whakapuaka and Wairau was via the Mahitahi Valley.

8. Ngāti Rārua have a statutory acknowledgement over the entire Maitahi (Maitai) catchment, including its tributories. Statutory acknowledgements are made by the Crown in recognition of the mana of a tangata whenua group in relation to specified areas.

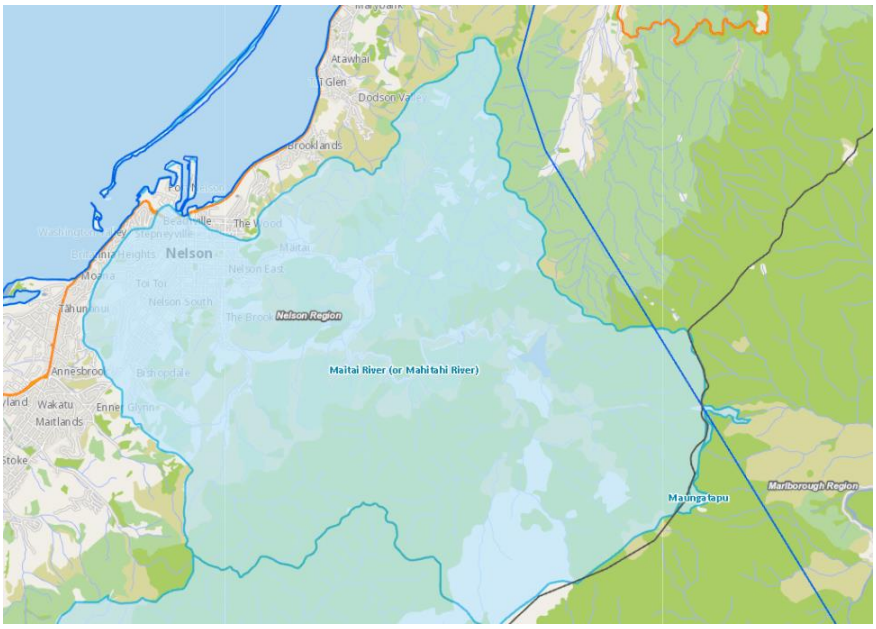


Figure 1: Ngāti Rārua Mahitahi (Maitai) River Statutory Acknowledgement

9. Ngāti Rārua also has statutory acknowledgement over Te Tauihu Coastal Marine Area, including the coastal area adjoining Nelson City.

Ngāti Rārua environmental,climate change and economic strategies

10. Ngāti Rārua have established policies that provide the basis for this submission.

11. In 2021 Te Rūnanga o Ngāti Rārua set in place *Poipoia Te Ao Tūroa*, our environmental strategy.[1] This document is a 'planning document recognised by an iwi authority' and therefore must be taken into account by council when preparing or changing a regional or district plan.[2]

12. Huanga / Objective 12.1.2 in Poipoia Te Ao Tūroa relates directly to papa kāinga. It seeks that:

> *"Ngāti Rārua iwi, hapū and marae can develop their land and housing in ways that enable them to maintain their culture and traditions".*

13. Accompanying tikanga / policies seek provisions in RMA planning documents that support papa kāinga development to enable this outcome.

14. Te Rūnanga o Ngāti Rārua is in the process of preparing a Climate Change Strategy, to protect, strengthen and enhance the taonga tuku iho of Ngāti Rārua and secure the continued wellbeing and prosperity of Ngāti Rārua whānau and marae through the impacts of climate change. The Climate Change Strategy is focused around the four Pou of *Kia Pai te Noho, Ngāti Rārua Strategic Plan 2020-2040*: Mauri Ora / Cultural, Hononga / Social, Taiao / Environment, and Ohaoha / Economic.[3] It supports practical actions to respond effectively to climate change, including a commitment to support innovation and creative thinking to help build resilience, minimise climate risk, maintain wellbeing and protect our taonga, assets and interests. Ngāti Rārua mātauranga, history and cultural knowledge are the foundation for development of strategy and practical measures to address climate change, and Ngāti Rārua are actively exercising our traditions and tikanga at the core of decision making.

15. Ngāti Rārua also has an economic strategy, Te Aka Tōnui. This strategy seeks to empower whānau by rejuvenating the Ngāti Rārua economy, while generating social, cultural and environmental outcomes. This will deliver true prosperity and resilience to rapid external change.

Iwi engagement on draft plan change

16. As noted in section 25.3 of the Proposed Plan Change 29 Section 32 report,[4] Council and iwi representatives have been discussing new papa kāinga provisions for inclusion in the Nelson plan since 2015. Ngāti Rārua representatives have taken an active part in this engagement as resources have allowed. During this time, iwi representatives have identified as key issues:

    - the need to clearly provide for papa kāinga in the resource management plan, and

[1] https://www.ngatirarua.iwi.nz/poipoia-te-ao-turoa/

[2] Sections 66(2A)(a) and 74(2A)(a).

[3] https://www.ngatirarua.iwi.nz/our-vision/?ref=ngatirarua.iwi.nz

[4] Nelson City Council Te Kaunihera o Whakatū – Section 32 Evaluation Report: Plan Change 29, dated 11 August 2023.

- iwi aspirations include providing for development in a manner consistent with their traditional and cultural values. This may result in types of development not anticipated by the standard planning provisions.

17. We acknowledge the engagement undertaken by Council during development of the proposed plan change.

Legislative and policy framework

18. In achieving the purpose of the RMA, councils need to take into account the principles of the Treaty of Waitangi in managing the use, development, and protection of natural and physical resources.[5] The key Tiriti principles of Partnership and Active Protection – of the rights, interests and values of iwi and hapū as the Crown's Tiriti partners – are central to the ability of Council to fulfil their statutory obligations.

19. In achieving the purpose of the RMA, councils also need to recognise and provide for the matters of national importance identified in Section 6 of the RMA. Section 6(e)is of particular relevance:

> *6(e) the relationship of Maori and their culture and traditions with their ancestral lands, sites, waahi tapu, and other taonga.*

20. Council must also have particular regard to matters in Section 7 of the RMA, which include:

> *7(a) Kaitiakitanga.*

Submission - general

21. Ngāti Rārua **supports in part** proposed Plan Change 29.

22. Ngāti Rārua supports Proposed Plan Change 29 provisions that provide for papa kāinga. These proposed changes recognise the interests of tangata whenua as Treaty partners. Provisions enabling the development of new papa kāinga in Whakatū are fundamental to recognising the relationship of Māori and their culture and traditions with their ancestral lands (Section 6(e) RMA) and enabling them to exercise kaitiakitanga over their land and resources (Section 7(a) RMA). The proposed provisions will support tangata whenua iwi, hapū and whānau in the development of their communally owned land in ways that allow traditional patterns of use. In turn, this enables the maintenance of culture and traditions and provides for the social, cultural and economic wellbeing of current and future generations of tangata whenua iwi, hapū and whānau.

23. Ngāti Rārua also supports the general approach to climate change in Proposed Plan Change 29, as set out in 10.2 of the Section 32 Report. These approaches include:
    - Increased opportunity for intensification close to the city centre and suburban centres to create a compact and efficient built environment, so avoiding carbon emissions,

[5] Section 8 RMA.

- Implementing changes to support the Active Travel Strategy, which supports a reduction in transport greenhouse gas emissions through shifts away from private vehicle dominance,
- Including reference to water tanks and solar panels in the definition of structures,
- Generally not upzoning land that is subject to coastal and/or river flood hazard,
- A new objective, and new policies, rules and overlays to manage natural hazards
- Changes to stormwater management rules to minimise impermeable surfaces.

24. Ngāti Rārua is neutral with respect to other aspects of Proposed Plan Change 29.

25. The specific provisions of PC 29 that this submission relates to, reasons for our submission, and decisions sought from Nelson City Council (NCC) are set out in Appendix 1.

26. Ngāti Rārua could not gain an advantage in trade competition through this submission.

27. Ngāti Rārua wishes to be heard in support of its submission.

28. If others make a similar submission, Ngāti Rārua will consider presenting a joint case with them at a hearing.

DATED 31 October 2023



Shane Graham

Pou Whakahaere | CEO

Te Rūnanga o Ngāti Rārua

ADDRESS FOR SERVICE: Rowena Cudby
Te Rūnanga o Ngāti Rārua

rowena.cudby@ngatirarua.iwi.nz

APPENDIX 1 – Ngāti Rārua Submission to proposed Plan Change 29 – Housing & Hazards

Sub. #	NRMP Volume & Chapter	NRMP Provision	Support or Oppose	Reasons	Decision sought
1	Chapter 2 Meaning of words	New/amended definitions of 'ancestral land', 'ancillary activity', 'commercial activity', 'general title land', 'Maori land', 'Papakāinga', and 'taonga'	Support	These definitions support tangata whenua iwi, hapū and whānau in the development of their communally owned land in ways that allow traditional patterns of use. This enables the maintenance of culture and traditions and provides for the social, cultural and economic wellbeing of tangata whenua iwi, hapū and whānau.	Retain
2	"	New definition of 'Tipuna/tupuna'	Support in part	The definition is generally supported but should be expanded to include grandparents for clarity. See definition in Te Aka | Māori Dictionary.	Amend the definition to read: "*Tipuna/tupuna means (in relation to papakāinga in the General, Medium Density and High Density Residential zones, Inner City and Suburban Commercial zones) ancestors, grandparents."*
3	Chapter 5 District wide objectives & policies DO1A: Objectives for papakāinga in the General, Medium and High Density Residential zones, Inner City and Suburban Commercial zones	Objective DO1A.1 – Papakāinga are a taonga.	Support in part	This objective is largely supported as it provides for the protection and enhancement of the social, cultural and economic wellbeing of Te Tauihu tangata whenua iwi. Some wording changes are suggested to reflect the wider dimensions of papa kāinga and to enhance readability. It is noted that DO1A.1.4 relates specifically to connection with ancestral land.	Amend objective DO1A.1.1 to read: *"To provide for traditional papakāinga, which are ~~a~~ taonga that:* *a. Empower and enable tangata whenua to live on their ancestral land;* *b. Provide for ~~tangata whenua to maintain and enhance their traditional and cultural relationship with their ancestral land~~ the maintenance of culture and traditions;* *c. Provide for the social, economic and cultural wellbeing of tangata whenua, and* *d. Are developed and used in accordance with tikanga Māori, while recognising that papakāinga may develop their own tikanga.*

Sub. #	NRMP Volume & Chapter	NRMP Provision	Support or Oppose	Reasons	Decision sought
4	"	Objective DO1A.1.2 Kia ora te mauri o te whanau (Māori living as Māori)	Support	This objective provides for the protection and enhancement of the social, cultural and economic wellbeing of Te Tauihu tangata whenua iwi, hapū and whānau.	Retain wording of objective. Add macron to 'whānau' in the objective heading.
5	"	Objective DO1A.1.3 Provide for the sustained occupation of ancestral land	Support	This objective provides for the protection and enhancement of the social, cultural and economic wellbeing of both current and future generations of Te Tauihu tangata whenua iwi, hapū and whānau.	Retain.
6	"	Objective DO1A.1.4 Provide for the development of land owned by tangata whenua.	Support	This objective recognises the cultural connection between tangata whenua and their ancestral land and allows for the maintenance of those connections.	Retain.
7	"	Objective DO1A.1.5 Working in partnership with tangata whenua to exercise tino rangatiratanga	Support	This objective provides for the exercise of tino rangatiratanga.	Retain.
8		Objective DO1A.1.6 Increasing the visibility of tangata whenua through the design of papakāinga	Support in part.	Suggest rewording to place emphasis on the objective of providing for papa kāinga design led by tangata whenua and guided by tikanga Māori. This is supported by policy DO1A2.2.	Amend to read: *"To provide for papa kāinga design that is led by tangata whenua and guided by tikanga Māori.* ~~*To increase the visibility of tangata whenua through papakāinga design that is led by tangata whenua and guided by tikanga Māori*~~*"* Include consequent amendments to objective heading.
9	"	Objective D01A.1.7 – Implementing Te Ao Māori and demonstrating kaitiakitanga in papakāinga development	Support	This objective provides for design, development and use of land that supports the protection and enhancement of the mauri of wider natural and physical resources.	Retain.
10	Chapter 5 District wide objectives & policies	Policy DO1A.2.1 – providing for papakāinga on Māori owned land	Support	This policy allows for papakāinga on both land in general title and on land held under Te Ture Whenua Māori Act 1993. Given the relatively low proportion of land in Nelson City held under Te Ture Whenua Māori	Retain.

Sub. #	NRMP Volume & Chapter	NRMP Provision	Support or Oppose	Reasons	Decision sought
	DO1A.2: Policies for papakāinga in the General, Medium and High Density Residential zones, Inner City and Suburban Commercial zones			Act, the enablement of papa kāinga on general land is vital to meaningful provision of papa kāinga development.	
11	"	Policy DO1A.2.2 – papakāinga to be led by tangata whenua	Support	This policy is supported as it allows for the design and development of papa kāinga to be led by tangata whenua in accordance with their own tikanga. However, it is quite similar to policy DO1A.2.3 – it is suggested that these two policies be amalgamated.	Amalgamate with policy DO1A.2.3 with new wording to read: *<u>The location, extent, design and development of papakāinga, including extensions to existing papakāinga, will be led by tangata whenua, guided by kaupapa Māori and in accordance with tikanga.</u>*
12	"	Policy DO1A.2.3 – location, extent and design of papakāinga	Support	As above.	Amalgamate with policy DO1A.2.2 to read as above.
13	"	Policy DO1A.2.4 – maximum scale of papakāinga development	Support in part.	Support the intent of this objective but rewording (b) will make it clearer that effects of the activity on adjoining properties need to be considered within the context of the plan, including the Zone in which the activity is located and the permitted activity rules for papa kāinga.	Reword DO1A.2.4 to: *The maximum intensity and scale of papakāinga development will be determined by the limitations of the site, including:* *a. Adequate provision of on-site infrastructure to serve the papakāinga; and* *b. ~~Adverse effects on~~ <u>The extent to which</u> adverse effects on adjoining properties and the environment are avoided, remedied or mitigated, <u>while recognising that papakāinga may contain activities of a character, scale,</u>*

Sub. #	NRMP Volume & Chapter	NRMP Provision	Support or Oppose	Reasons	Decision sought
					intensity or range that are not provided for in the surrounding area. ~~*While recognising that papakāinga may contain activities of a character, scale, intensity or range that are not provided for in the surrounding area.*~~
14	"	Policy DO1A.2.5 – non-residential aspects of papakāinga	Support	This policy recognises the wider aspects of traditional papakāinga.	Retain.
15	"	Policy DO1A.2.6 – papakāinga design guides and development plans	Support	This policy is supported, but suggest rewording for readability.	Reword to: *The Council will support tangata whenua where tangata whenua choose to prepare papakāinga design guidelines and implement them through development plans.* ~~*Tangata whenua will be encouraged to prepare development plans for papakāinga that are consistent with any relevant papakāinga design guides.*~~
16	Chapter 7 Residential Zone	Rule REr.19V – papakāinga development in General, Medium Density, High Density Residential zones (Sch.AA)	Support	This rule provides for the social, cultural and economic wellbeing of Te Tauihu tangata whenua iwi, hapū and whānau.	Retain.
17	Chapter 7 Residential Zone	Schedule AA Papakāinga development – General, Medium and High Density Residential zones	Support	This schedule provides for the social, cultural and economic wellbeing of Te Tauihu tangata whenua whenua iwi, hapū and whānau. Change to assessment criteria suggested to more fully implement advice note 1 contained in DO1A Papakāinga in the General, Medium and High Density Residential zones, Inner City and Suburban Commercial zones.	Retain, with addition to Assessment Criteria AA.6: *(c) For resource consent applications considered under this Schedule AA, the Council will seek advice from the relevant iwi authority and will rely on this advice. The matters that Council will seek advice from iwi authorities on include whakapapa or ancestral connection to the land and any other relevant matter related to tikanga Māori.*
18	Chapter 8 Inner City Zone	Rule ICr.55B – Papakāinga development	Support	This rule provides for the social, cultural and economic wellbeing of Te Tauihu tangata whenua whenua iwi, hapū and whānau.	Retain, with addition to Assessment Criteria IC55B.4: *(c) For resource consent applications under ICr.55B the Council will seek advice from the relevant iwi authority*

Sub. #	NRMP Volume & Chapter	NRMP Provision	Support or Oppose	Reasons	Decision sought
				Change to assessment criteria suggested to more fully implement advice note 1 contained in DO1A Papakāinga in the General, Medium and High Density Residential zones, Inner City and Suburban Commercial zones.	*and will rely on this advice. The matters that Council will seek advice from iwi authorities on include <u>whakapapa or ancestral connection to the land</u> and any <u>other relevant</u> matter related to tikanga Māori.*
19	Chapter 9 Suburban Commercial	Rule SCr.20B Papakāinga development	Support	This rule provides for the social, cultural and economic wellbeing of Te Tauihu tangata whenua whenua iwi, hapū and whānau. Change to assessment criteria suggested to more fully implement advice note 1 contained in DO1A Papakāinga in the General, Medium and High Density Residential zones, Inner City and Suburban Commercial zones.	Retain, with addition to Assessment Criteria SCr20B.4: *(c) For resource consent applications under SCr.20B the Council will seek advice from the relevant iwi authority and will rely on this advice. The matters that Council will seek advice from iwi authorities on include <u>whakapapa or ancestral connection to the land</u> and any <u>other relevant</u> matter related to tikanga Māori.*

Received: 30/10/23
Submission: 897
NDocs: 5395702224-18228

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Date: 29/10/2023

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

I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearings.

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

1) **The Plan Change 29 Process. I want to acknowledge...**
   a) That I have found it difficult to digest the total effect of the proposed PC 29 and its supporting documentation due to its size and complexity.
   b) That access to a paper copy of PC 29 and the Section 32 reports has not been made available for residents who do not have access to, or the ability to use a computer.
   c) That I have found PC 29 lack of early public engagement and consultation by Council, with its severe implications towards the well-being of existing rate paying residents enjoyment of their properties, extremely stressful 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) 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 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 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: -

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 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) 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 & Haven Road has many empty apartments.
   i) I ask Council to consider solutions to mitigate against new-build empty holiday apartments.

d) I oppose the increase of residential units beyond 4, as a **restricted discretionary** activity that does ***NOT*** require notification and written approval from neighbours.
   i) I ask Council to ensure that more than 4 units requires notification, to restrict large 'out of character' accommodation blocks spanning multiple sections, and taking up lots of on street car parking spaces, popping up in a residential street, without warning.

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

f) Building inner city apartments that offer an alternative solution to 'retirement villages', can free up the bigger homes for new families to occupy. The 'retired' occupants may also be less likely to be reliant on a vehicle, which may more closely suit the growth model desired.

g) Designing Inner-City roof gardens and balconies with green spaces for commercial hospitality use or places for apartment living residents to relax and enjoy the Nelson Sun.

h) Incentivise rate paying residents to demolish or relocate their house in favour of replacing more units on the same section providing they comply with the suitable character or heritage of the neighbourhood.

8) Progressively Phased Intensification

a) Firstly, Inner City should be the starting place to have the most significant intensification, before forcing it onto the residential neighbourhoods, this can give more time to complete a better design vision for our residential neighbourhoods.
   i) I ask Council to make better utilization of Car Only spaces, by developing them into shared spaces, with Accommodation overhead. 'Nelsust' highlights 44% of the Inner City as Car only spaces.
   ii) I ask Council to retain para lCd.11 'The zone enables and encourages an increase in the density and diversity of quality housing in the City Centre by enabling residential activity above ground floor level. It is expected that over time, more people will choose

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

b) Secondly, City Fringe would be the next zone to phase in for intensification.
   i) I ask Council to negotiate and/or incentivise Industry and car yards to relocate, to less essential land that can be better used for accommodation.

c) Finally, the Residential Zones would be the last area to be phased in, by working out from the City Fringe Zone (and Central Stoke).
   i) I would support Medium Density Residential Zones (3 storey 11m high) progressively expanding from the CBD (and Central Stoke) ***if required and over time***, providing AP15 Daylight Admission Protection rules remain in force for existing properties.

9) Intensification in hazard zones

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

10) On-street carparking

a) Increased intensification 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) Significant care and attention must be considered with all social housing because there are too many examples across the country where this has resulted in disharmony in communities.

b) High density living for the homeless and vulnerable will not result in healthy outcomes for all concerned.

c) Careful design controls from the concept stage onwards, will be rewarded in the long run, with less support required by Mental Health Services, Charity Services, Police and Social Services.
   i) I would like to see Council working closely with Kainga Ora, to provide a 'transparent' way of creating new Social Housing Developments that 'Fit' with the long-term design vision of Nelson.
   ii) I would like to see Council have more fit for purpose controls for antisocial behaviour that affects the existing neighbour's enjoyment of their property.

12) Infrastructure

a) I ask the Council to include a plan to mitigate against future drought situations with a greater demand on the same amount of water from the Maitai Dam, for a greater population.

b) I ask the Council to include a plan to mitigate against the increased capacity requirements for our waste water systems.

c) I ask the Council to include a plan to mitigate against the increased capacity requirements for storm water.

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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: S898
Date Received Stamp: 31/10/2023
NDOCs No: 539570224-18229

*Required

Submitter Details

Full Name*	Matthew Brown		
Organisation	Ryman Healthcare Limited		
Contact Person	Luke Hinchey / Alice Hall		
Postal address*			
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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 October 2023
Date*

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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)

Please see attached.

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaunihera o Whakatū

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).

Please see 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.



Form 5

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN, CHANGE OR VARIATION

Clause 6 of Schedule 1, Resource Management Act 1991

To: Nelson City Council

Name of submitter: Ryman Healthcare Limited (*Ryman*)

Introduction

1 This is a submission on Nelson City Council's (*Council*) proposed amendments to the Nelson Resource Management Plan (*NRMP*): Plan Change 29 (*PC29*) on behalf of Ryman.

2 Ryman could not gain an advantage in trade competition through this submission.

3 Ryman supports in full the Retirement Villages Association of New Zealand Incorporated (*RVA*) submission on PC29. This submission provides additional context to Ryman's villages and its interest in the proposal.

4 The submission covers:

4.1 An introduction to Ryman, its villages and its residents; and

4.2 Ryman's position on PC29.

Ryman's approach

5 Ryman is considered to be a pioneer in many aspects of the healthcare industry – including retirement village design, standards of care, and staff education. It believes that a quality site, living environment, amenities and the best care maximises the quality of life for its residents. Ryman is passionately committed to providing the best environment and care for our residents. Ryman is not a developer. It is a resident-focused operator of retirement villages. Ryman has a long term interest in its villages and its residents.

The ageing demographic

6 Nelson's growing ageing population and the increasing demand for retirement villages is addressed in the RVA's submission on PC29, and that is adopted by Ryman.

7 Ryman's own research confirms that good quality housing and sophisticated care for the older population is significantly undersupplied in many parts of the country, including Nelson. Ryman has first-hand knowledge of accommodation issues facing elderly people in Nelson through the Ryman Ernest Rutherford Retirement Village on Covent Drive. Nelson's ageing population is facing a significant shortage in

appropriate accommodation and care options, which allow them to "age in place" as their health and lifestyle requirements change over time. This is because appropriate sites in good locations are incredibly scarce.

Ryman's residents

8 All of Ryman's residents – both retirement unit and aged care room residents – are much less active and mobile than the 65+ population generally as well as the wider population. Ryman's retirement unit residents are early 80s on move-in and its aged care residents are mid-late 80s on move-in. Across all of Ryman's villages, the average age of retirement unit residents is 82.1 years and the average age of aged care residents is 86.7 years.

Ryman villages' amenities and layout needs

9 To provide for the specific needs of its residents, Ryman provides extensive on-site community amenities, including entertainment activities, recreational facilities, small shops, bar and restaurant facilities, communal sitting areas, and large, attractively landscaped areas.

10 Because of the comprehensive care nature of Ryman's villages, all of the communal amenities and care rooms need to be located in the Village Centre to allow for safe and convenient access between these areas. This operational requirement results in a density and layout that differs from a typical residential development. However, Ryman's retirement villages are integrated developments, which often creates opportunities to achieve higher quality residential outcomes compared to typical residential developments.

Ryman's position on PC29

11 Ryman adopts the RVA's submission on PC29. In addition, Ryman wishes to emphasise that PC29 could have a significant impact on the provision of housing and care for Nelson's growing ageing population. There is a real risk that the proposed changes will delay necessary retirement and aged care accommodation in the region.

Relief sought

12 Ryman seeks the relief sought by the RVA in its submission on PC29.

13 Ryman wishes to be heard in support of this submission.

14 If others make a similar submission, Ryman will consider presenting a joint case with them at a hearing.

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Received: 31/10/23
Submission: S899
NDOCS: 5395702224-18231

Rev 0.1

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

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

Submitter (Complete details below):

Full Name: DEREK EDWARD HUSTON

Address:

Telephone:

Email: dereknuston869@gmail.com

Signature of Submitter:

Date: 23/10/2023

Delete as applicable: -

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

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Submission: S900

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Submitter (Complete details below):

Full Name: Karen Jane Austin

Address:

Telephone:

Email: Karenjaustin2014@gmail.com

Signature of Submitter: Karen J. Austin

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Delete as applicable: -

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