

Time: 4.13pm



RMA Submission Form for Publicly Notified Plan Change 29

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

Senior Planning Administrator
RMA Plan Submissions
Nelson City Council
PO Box 605
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: S935

Date Received Stamp:

31/10/23

NDOCs No: 539570224-18320

*Required

Submitter Details

Full Name*	Boffa Miskell Nelson
Organisation	Boffa Miskell Ltd
Contact Person	Liz Gavin
Postal address*	L1, B2 51 Halifax Street, Nelson 7010
Telephone*	Email* Liz.Gavin@boffamiskell.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.

Liz Gavin

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

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

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

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

My submission is*:

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

Thank you for the opportunity to make a submission towards Plan Change 29. We, as a collective of Landscape Architects and Urban Designers, wish to highlight four key points, that specifically relate to elements within the proposed changes to Residential, Inner City and City Fringe, and Industrial provisions.

1. Density and growth within the Inner City

Inner City and City Fringe and Residential

We acknowledge the definition of the Inner City Zone, ICd.1, ICd.3 and ICd.12. We wish to highlight that City Centre then the City Fringes, should be the focus of more significant intensification efforts before expanding out to the wider residential area. The Town Centres of Stoke and Tahunanui, and areas within the Nelson Port/Marina should be considered as focal points for intensification as there is existing transport infrastructure.

2. Protect and Increase the area and impact of public realm amenity

Inner City and City Fringe and Residential

2.1 Increasing the density in residential areas puts more demand on the public realm.

Considerations within this plan change needs to accommodate and anticipate the increased demand on urban landscape and value of amenity for residents and the public. This is partially notable as a key characteristics of Whakatū | Nelson is the leafy green suburbia surrounding the city. The plan needs to enable urban greening with plants, in particular trees in the right place. Urban greening as part of Nelson's identity as a response to the intensification. These areas of urban greening should happen with at the street level and be driven by a wider Urban Greenspace Spatial Plan (see consideration 2.2)

With the scenario where mature trees are removed from the Public realm, there should be compensation for bringing mature trees back in.

2.2 Development of an urban greenspace spatial plan to enable successful Intensification outcomes PC29

The parks network that served people and the environment in a low-density suburban living context will require investment to meet the future needs of our communities who will live in more compact intensified urban areas identified in PC 29. Our coastal fringe, waterfront, sportsfields, walkways, playgrounds and natural areas need to be complemented by a network of easy to access, quality neighbourhood parks that people use on a daily basis.

Investment in quality neighbourhood parks will support the planned transition to higher density urban and suburban living across Whakatū | Nelson. The development of PC29 and intensification areas should be responsive to; and developed in conjunction with a Parks and Open Spaces Spatial Plan. Improvements in our neighbourhood parks and pedestrian linkages will support people living well in urban areas and provide the spaces where natural environment elements, play and socialisation can be integrated into the urban environment.

3. Design Guidelines

The creation of a Whakatū | Nelson design guidelines, that look at the Neighborhood scale would work to ascertain better design outcomes. The design guides need to support good street level activation, Look at bulk and mass, articulation and modulation.

4. Industrial

Heavy industrial and large retail outfits should be considered to be zoned towards Stoke or Richmond. It is difficult to achieve intensification and activation of the Public realm and successful of urban greenspace needed to achieve intensification in the city fringe when also accommodating heavy industrial activity. Alignment with light industrial uses can be considered as part of an intensified mixed use residential if cases where noxious noise, smell, activity is acceptable to residential use.

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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).

Focus of significant intensification in Nelson city centre and city centre fringe, including Vanguard and St Vincent Street corridors to Victory Square. The area of The Broads area should also be included in intensification with the anticipated Nelson Hospital redevelopment. Intensification should also be considered in local centres Tahuna and Stoke. These urban centres already have key transport and infrastructure capacity needed for intensified living in Nelson.

For other areas outside the urbanized centres, (e.g. in more 'suburban' context), neighbourhood level design guidelines and planning should be undertaken by Council to ascertain the impacts of intensification on existing properties.

Public realm response of public amenity such as improved footpaths, urban greening, seating, lighting, etc should be considered with intensification. Preservation of existing street trees should be strongly considered as a benefit of both public and future residents in intensified living.

Note:

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- 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.
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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.

Received: 31/10/23
Time: 4:16pm

Sub No: S936

NDOCS-539570224-18321

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: Full Name: Susan Lovell Address: 1B Willow Ave Stoke 7011 Telephone: 027 2200671 Email: slovell
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- ☒ I could not obtain an advantage in trade competition through this Submission.
☒ I wish to be heard in support of my Submission at the Council Hearing.

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

Other comments or concerns I have about Plan Change 29

*I would be financially + environmentally disadvantaged by this plan.
I have recently acquired the property and now face a drop in value,
inability to plan + a high risk of losing sun + privacy.
Eisel Park + adjoining recreation reserve + facilities are enjoyed by
locals + visitors + the access + enjoyment would be reduced by a
high rise building eg parking racks, privacy, sun/shading, views*

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

*I suggest building high rise building towards the foothills
where they won't stick out. 2-3 apartment story apartment
blocks are fine but they should be high quality + be set back
from street + have gardens. The quality + design of houses in
Nelson is very poor. Much better to have larger developments rather
than putting houses behind houses with very odd driveways/privacy.*

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

... S. Lovell

Submitter

31/10/23

Date

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

Tuesday 19th September

Time: 4:16pm

RMA Submission Form for Publicly Notified Plan Change 29

Nelson City Council
Te Kaitiaki 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

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change no.29 in the subject line)

OFFICE USE
Submission No: S937
Date Received Stamp: 31/10/23
NDOCs No: 539570224-18323

*Required

Submitter Details

Full Name*	CAROLINE LOUISE THOMPSON		
Organisation			
Contact Person			
Postal address*	15 ENDEAVOUR ST NELSON		
Telephone*	022600537	Email*	masms-4@hotmail.co.nz

Trade Competition*

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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)

CL Thompson

Date*

31/10/2023

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☐ 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)

Schedule 1

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

Schedule 2

Note:

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Schedule 1

PLAN CHANGE 29 SUBMISSION

I oppose Nelson City Council Plan Change 29 in its entirety.

This is for the following reasons:

1. It appears that the Nelson City Council does not place value on communities already existing & operating organically within the General, Medium density & High density residential areas proposed under PC29. Imposing general rules on areas without a valid social assessment that considers the existing social amenities & relationships will lead to fragmentation & resentment. The effects of this leads to reduced support between neighbours, a reduced sense of security for children & the elderly & development of an 'us & them' mentality.
2. The NCC planning representatives have emphasised that a 'range of residential buildings' would be considered under the proposed PC 29 rules. These would be built:
 - i. when a property becomes available
 - ii. depending on whether the building meets the PC 29 rules, but if so without any notification or consenting process
 - iii. On an ongoing basis without any timeline, so no end to buildings being erected in sight.

There are several issues to this planning strategy.

An ad hoc approach lends itself to a disjointed aesthetic effect, diminishing any residual character, of which Nelson has much & why many people move here. This would be further reduced by the height/daylight hours rules impacting on residents' abilities to install solar panels, grow vegetables for example. A 3 storey building just by its nature will cast shade over neighbouring properties when so close to the boundary.

Having no timeline & no ability to anticipate where the next development will be under the PC 29 process means that residents will be always anticipating disruption & material impacts on their lives, leading to a reduction in the wellbeing of the community in general.

One of the perceived advantages of PC 29 that has been promoted is the ability to plan & consolidate infrastructure. It would not be possible to do this if such a disjointed approach is taken to building as neither the planners nor the developers would be able to anticipate where the next buildings will be put up. If PC 29 had a timeline (a beginning & an end) Council, developers & residents would have more clarity. A better approach would be to proactively consult on & plan for cohesive, functioning neighbourhoods & provide the infrastructure accordingly.

3. The process adopted by NCC to the proposed implementation of PC 29 has been broadbrush & reactive. One of the 'Key Drivers' of PC 29 is the projected growth in Nelson's population based on Statistics New Zealand figures. However, the most up to date figures from Stats NZ will be released in February 2024. Surely NCC would want to base such an important urban design change on the most accurate figures available? This feels like an ill considered & rushed process.

Schedule 2

I seek the following Decision from Council.

That the Council starts with the Central City. I am not an urban design specialist, but from a ratepayer, resident & enjoyer of Nelson 'the smart little city', the \$36 million from central government (IAF) should be the starting point for regenerating Nelson. It would be better to use this to encourage land & building owners in the central city to adopt the PC 29 High Density principals, a win, win, win as they can tap into the improved infrastructure, more people will move into the central city & NCC will receive more rates. It then gives time to properly consider how a more considered approach to intensification of Nelson can take place.

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: Radio New Zealand Limited (RNZ)

- 1 This is a submission on Proposed Plan Change 29 (Housing and Hazards) to the Nelson Resource Management Plan (PC29).
- 2 RNZ could not gain an advantage in trade competition through this submission.
- 3 The specific provisions of the proposal that RNZ's submission relates to are set out in **Schedule 1** to this submission.
- 4 RNZ does wish to be heard in support of the submission.
- 5 If others make a similar submission, RNZ will consider presenting a joint case with them at a hearing.

Background

- 6 RNZ is a Crown entity established under the Radio New Zealand Act 1995. RNZ operates AM radio transmission facilities at Saxton Field, Stoke (RNZ's Facilities). The site is designated DR1 in the Nelson Resource Management Plan.¹
- 7 The radiocommunication activities from RNZ's Facilities are carried out by RNZ and other broadcasters using equipment that is owned, maintained and operated by each broadcaster.
- 8 It is important that the continued operation of RNZ's national transmission network can occur unimpeded. RNZ's Facilities are an integral and important part of RNZ's national communication network, and it is appropriate that PC29 recognises this and provides for RNZ's activities.
- 9 RNZ's Facilities perform an important role in, among other things, providing news and information to the public and performing a civil defence role (radio is a key communication tool in the event of natural disasters and RNZ is designated as a Lifeline Utility under the Civil Defence Emergency Management Act 2002).
- 10 As a lifeline utility, it is critically important that RNZ is not unduly restricted from carrying out activities that are fundamental to the ongoing operation of its transmission activities.^a

¹ Main Road Stoke SH6 - Radiocommunication, telecommunication and ancillary purposes, Pt DP3154 and Pt Sec 75 and 76 Dist Waimea East CT 1A/883, 7.1452ha.

RNZ's Facilities at Stoke include:

- [illegible]

Figure 1: RNZ's radio transmission Facilities at Saxton Field, Stoke

RNZ's submission – general comments

- 14 PC29 enables the intensification of residential development on land currently zoned for residential and commercial uses that is not within areas potentially affected by significant natural hazards. Land in close proximity to RNZ's Facilities is proposed to be zoned General Residential.



Figure 2: Proposed General Residential Zone (green/yellow) in relation to RNZ's Facilities at Saxton Field.

- 15 RNZ considers that it is important for the provisions of PC29 to recognise:
- 15.1 The critical contribution that infrastructure and network utility operations (such as RNZ's Facilities) make to Nelson's social, economic and cultural wellbeing, as well as health and safety.
 - 15.2 That network utilities may face technical and operational constraints that limit the geographic locations in which they can operate.
 - 15.3 The need to avoid "reverse sensitivity" effects on network utilities, for the benefit of the community.

Reverse sensitivity

- 16 RNZ transmitters across the country are particularly susceptible to reverse sensitivity effects and it is critically important that these effects, which have the potential to significantly restrain RNZ's operations, are avoided.
- 17 RNZ has, in the past, had to relocate transmitter facilities as a result of increased complaints from new residents moving near its facilities. This is a last resort for RNZ

and is extremely disruptive and costly. RNZ supports the policy recognition in PC29 that protects regionally significant infrastructure.

- 18 Any increase of new residential activity potentially enabled by PC29 in close proximity to RNZ's Facilities must not result in reverse sensitivity effects.

RNZ's management of electromagnetic radiation

- 19 The effects of EMR from the RNZ transmitter masts are not well understood across New Zealand. Radiation from the masts can induce dangerous EMR levels into nearby tall metallic objects through EMR coupling.
- 20 Outside the General Public Exclusion Zone, where no public access is allowed, the primary concern for RNZ is parasitic re-radiation. This occurs when a tall structure absorbs and re-radiates energy from a mast and is a common issue with cranes and 'Elevated Work Platforms' near AM transmitter sites. In some cases, people can receive contact burns from metallic objects, or work at heights that expose them to EMR levels above general public limits. Controls are therefore required around the crane or Elevated Work Platforms to achieve compliance with safety standards.
- 21 There is a risk that developers of adjacent properties unknowingly design and build structures which do not meet New Zealand EMR regulations which is dangerous to both construction staff and occupants of those structures.

Changes sought

- 22 The maximum building height permitted in the proposed General Residential Zone is 8 metres. This is appropriate in close proximity to RNZ's Facilities for the reasons outlined above.
- 23 RNZ seeks changes to ensure that buildings and structures higher than 8m in proximity to RNZ's Facilities in the General Residential Zone are assessed and consented with regard being had to the safety risks associated with EMR. RNZ is happy to work with Council officers on appropriate wording to ensure these risks are appropriately managed.
- 24 RNZ's submission on PC29 is further set out in Schedule 1, and RNZ seeks the changes listed, or such other changes that would address RNZ's interests in PC29.

Conclusion

- 25 It is important that PC29, and provisions relating to the proposed General Residential Zone, manage the effects of EMR and provide for the avoidance of reverse sensitivity effects.

Signed for and on behalf of Radio New Zealand Limited by its solicitors and authorised agents Chapman Tripp



Ben Williams
Partner
31 October 2023

Address for service of submitter:

Radio New Zealand Limited
c/- Annabelle Lee

Email address: annabelle.lee@chapmantripp.com

**SCHEDULE 1 – SPECIFIC SUBMISSIONS ON PROPOSED PLAN CHANGE 29 (HOUSING AND HAZARDS) ON BEHALF OF
RADIO NEW ZEALAND LIMITED**

Objective/Policy/Rule	Proposed Wording	Support/ Oppose	Comment and decision sought
District wide objectives and policies; Subdivision and development DO14.4 network utilities	<i>Efficient use of network utilities infrastructure while avoiding, remedying, or mitigating the adverse effects of utilities on their surrounding environments, and ensuring that <u>regionally significant infrastructure is not restricted or compromised by subdivision, use and development of other activities.</u></i>	Support.	RNZ supports the additional text proposed for this objective which aims to protect regionally significant infrastructure from incompatible land use.
District wide objectives and policies; Zones DO16.1.1.ii General Residential Zone	<i><u>The primary goal of the General Residential Zone is to provide the opportunity for residential accommodation within a suburban setting. The zone enables a range of housing types, including detached and attached residential units, and achieves a suburban residential character by generally limiting the scale and form of buildings to two storeys and requiring on site landscaped areas and private open space.</u></i>	Support.	RNZ supports the General Residential Zone description. In particular it supports the direction that buildings are generally limited to two storeys as, in most cases, the height of two storey buildings do not create safety concerns with EMR in close proximity to RNZ's transmission facilities.
Residential Zone objectives and policies REd.10	<i><u>Over time, the appearance and character of neighbourhoods will change as new development occurs, to achieve the planned built character of the zones as described in the objectives and policies. Collectively, General Residential, Medium Density Residential and High-Density Residential zones enable a variety of housing densities, in</u></i>	Support with amendment.	RNZ generally supports the new residential policies as notified but considers specific reference should be made to the needs of network utilities and radiocommunication facilities as well as amenity values. This will be increasingly important as the density of development increases.

Objective/Policy/Rule	Proposed Wording	Support/ Oppose	Comment and decision sought
	<i><u>a variety of forms, including detached, semi-detached, terraced housing and apartments. In achieving the planned built character of the zone, development will have regard to the amenity values of existing residential sites, acknowledging that this is more challenging as the density of development increases.</u></i>		
Residential Zone objectives and policies RE1.6 general residential zone	<i><u>Increase housing choice and diversity by enabling a suburban planned built character comprising residential buildings generally up to two storeys, surrounded by open space.</u></i> <i><u>Explanation and Reasons</u></i> <i><u>RE1.6.i</u></i> <i><u>This zone enables a range of housing types, including detached and attached residential units, and achieves a suburban residential character by generally limiting the scale and form of buildings to two storeys and requiring on site landscaped areas and private open space.</u></i> <i><u>Method</u></i> <i><u>RE1.6.ii</u></i>	Support with amendment.	RNZ generally supports the new residential policies as notified but considers specific reference should be made to the needs of, and risks from, network utilities and radiocommunication facilities. This will be increasingly important as the density of development increases.

Objective/Policy/Rule	Proposed Wording	Support/ Oppose	Comment and decision sought
	<u>Rules setting minimum standards to provide for a high-quality living environment and residential amenity.</u>		
Residential Zone rules REr.17J Maximum building height	<u>The maximum permitted height for buildings is 8m.</u>	Support.	RNZ generally supports a maximum building height of 8m in the General Residential Zone. Buildings and structures up to 8m are unlikely to generate EMR safety concerns in close proximity to RNZ's transmission facilities.
Residential Zone rules REr.17J.3	<u>Activities that contravene a permitted condition are restricted discretionary.</u> <u>Discretion is restricted to:</u> i. <u>effects on the planned built character of the zone; and</u> ii. <u>effects on the safety and attractiveness of the street; and</u> iii. <u>effects on the quality of on-site living environments; and</u> iv. <u>visual dominance, privacy and shading effects on neighbouring sites; and</u>	Support with amendment	RNZ is concerned that buildings and structures above 8m in the General Residential Zone could absorb and re-radiate EMR energy from RNZ's transmission facilities. RNZ considers amendments are required to the matters of discretion and/or assessment criteria to ensure that the Council is able to properly take into account potential risks to the public when buildings that are above 8m in height are proposed to be constructed in the General Residential Zone. RNZ is happy to work with Council officers on appropriate wording amendments to these rules.

Objective/Policy/Rule	Proposed Wording	Support/ Oppose	Comment and decision sought
	<u>the need to address other effects, including significant risks from natural hazards.</u>		
Residential Zone rules REr.17J.4 Assessment criteria	a. <u>any special or unusual characteristics of the site or the proposal that are relevant to the infringement. This may include situations where:</u> i. <u>the site is of a sufficient size that infringing height elements can be placed centrally within a site away from neighbouring properties and/ or partially screened by other buildings proposed on site.</u> ii. <u>the site is located to the south of neighbouring properties or there are topographical changes that reduce the potential for additional shading.</u> iii. <u>the site is located on the corner of public open spaces (including streets) providing an opportunity to position increased height towards these</u>		

Objective/Policy/Rule	Proposed Wording	Support/ Oppose	Comment and decision sought
	<u>spaces and away from neighbouring properties.</u> b. <u>whether additional height is necessary to provide a higher ground floor level to address flood hazards on the site.</u> c. <u>whether the upper floor(s) of proposed buildings are set back from lower floors or utilise recessive building elements to reduce visual dominance.</u>		
Residential Zone rules REr.17J.4 Explanation	<u>The purpose of the building height rule, in combination with the other rules, is to achieve the planned residential character of the zone. Within this context, infringements to building height will be considered in terms of the whether character is achieved as a whole, while also considering effects on neighbouring sites, on-site and to the street and public open spaces.</u>	Support with amendment.	RNZ supports the explanation for building height rules. However, it considers that additional text should be added to recognise that infringements to building height must consider the potential for EMR effects if the proposed building is located in close proximity to RNZ's transmission infrastructure.

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

Submitter:

Full Name: E Ra 2 Barry L Creevey

Address:

Telephone:

Email: crveeys@ncc.govt.nz

NDOCS-539570224-18327

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

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

Other comments or concerns I have about Plan Change 29

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

Build ~~the~~ them in a land outside of the heavy / dense residential area. outskirts or Empty / unused land.

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

Submitter

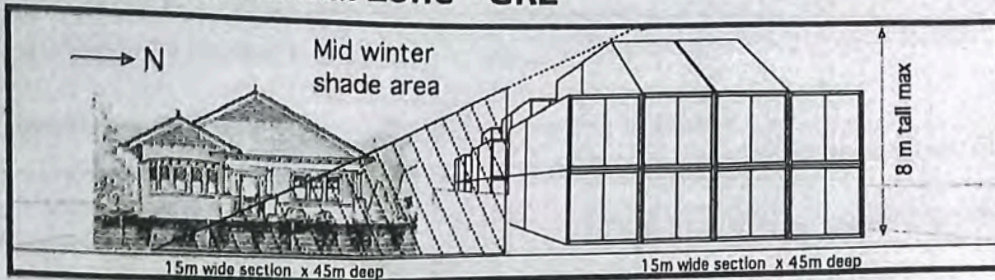
Date

NB: TO BE DELIVERED TO NCC OR SENT TO environmental.planning@ncc.govt.nz by 4.00 pm
Tuesday 19th September

DAYLIGHT ROBBERY!

Nelson City Council is planning drastic changes to Nelson's urban environment, giving developers "As Of Right" to build 3 types of mass infill - no input by you!

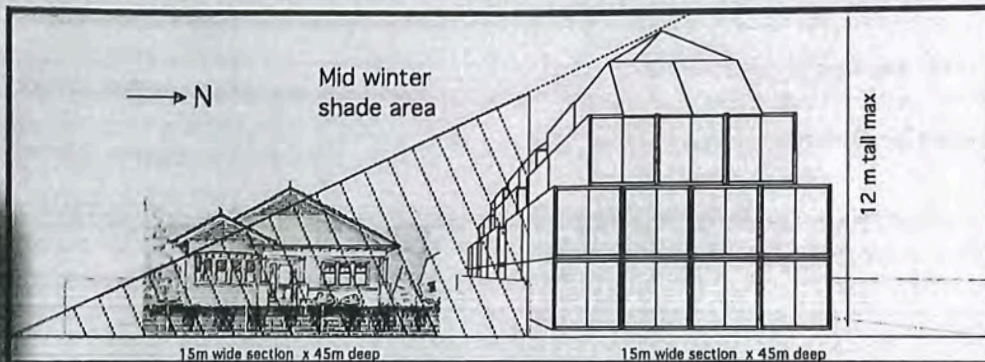
General Residential Zone - GRZ



Three x's 2 story houses - 2+ units per building up to 550 sq m of habitable space. Can be just 1 m from lot line - 8 m tall. ~ 45 - 20' containers stacked up on your boundary without ANY say from you!!

NO PARKING REQUIRED

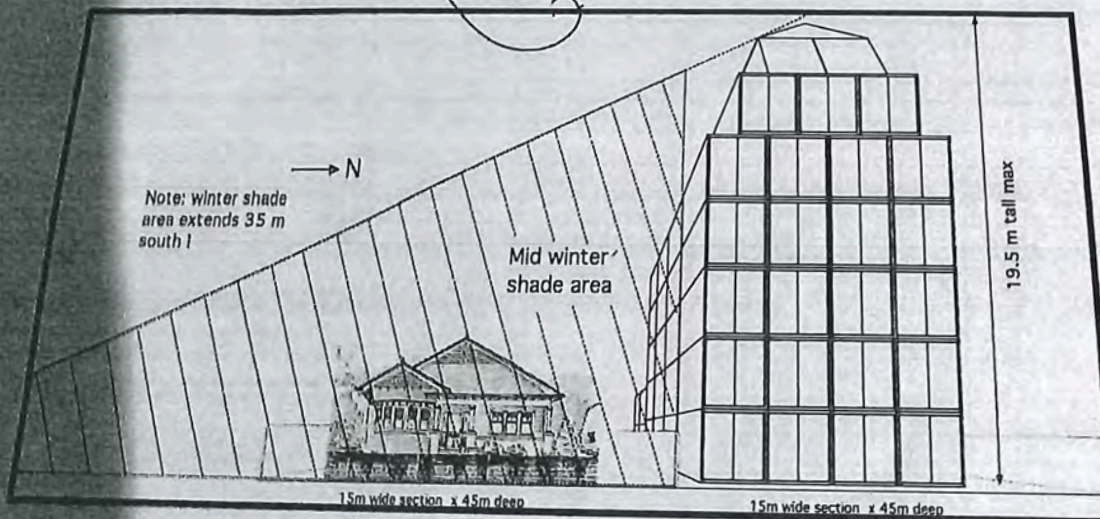
Medium Density Zone - MDZ



Three x's 3 story houses - 3+ units per building up to 1000 sq m of habitable space. Can be just 1 m from lot line - 12 m tall. ~ 65 - 20' containers stacked up on your boundary without ANY say from you!!

NO PARKING REQUIRED

High Density Zone - HDZ



Apartment complex - up to 45 units in the building up to 2000 sq m of habitable space - can be just 1 m from lot line - 19.5 m tall approx. ~ 120 - 20' containers stacked up on your boundary!

**NELSON
NEEDS
YOU TO
HAVE
YOUR SAY !**

Check YOUR
Re-Zoning a
Shape Nelson
-ePlan

"MAKE YOUR
VOICE HEARD"

Submission

close on Oct. 31

FaceBook
Stop Plan
29

Email
stopplan29@gmail.com

- NO PARKING REQUIRED

Received: 31/10/23
Time: 9.31pm

Sub No: S940

NDOCS-539570224-18330

31 October 2023

Nelson City Council

Submission re Plan Change 29

Tēnā koe NCC,

My name is Mitchell Hutchings, and I am a planner working for a consultancy here in Nelson. I write this submission representing myself. I wish to lodge this submission (without being heard) in opposition to the proposed changes, particularly for the proposed high density residential zone which I do not believe reflect the intention of the National Policy Statement for Urban Development or the Future Development Strategy.

My submission will cover two areas:

- 1) I believe more consideration needs to be given to the 'high density residential zone' and the vast areas of the city that are included in this proposed zone.
- 2) Rimu Street in Toi Toi where I live should be changed to 'medium density residential zone' as it is the only street in the high density zone that does not have a formalised footpath or grass verge and I don't not believe it can safely accommodate the potential additional pedestrian and cyclists.

High density residential zone issues

While I support the increased development of existing hazard free residential zones and do partially support the efforts NCC are making, I believe that allowing six storey developments in existing one or two storey development areas is too drastic of a change. The proposed high density residential zone appears to have been included in PC29 without full consideration of the impacts of what this type of development would have on the adjoining people who occupy this land, namely their access to reasonable amounts of sunlight which is the whole purpose of the existing height recession planes which are still used widely across Aotearoa. Recession planes give landowners some certainty over what may be developed near their property and work well by allowing landowners a minimum of two hours of sunlight in the peak of winter.

While I understand the need for intensified brownfield development, medium density development across the board (in all areas earmarked for medium and high density) would easily accommodate the future brownfield growth needs of Nelson should all properties be developed to the full extent of the proposed medium density provisions. This means that the high density residential zones should be consolidated to where they are needed and where high density development should be encouraged in Nelson – in the CBD and close surrounding areas.

The medium density residential provisions are the rules intended to be applied to the Nelson City residential zones in the National Policy Statement for Urban Development as a Teir 2 City. Teir 1 Cities (in the right parts of the city) can accommodate higher density development, but this should only be applied in areas where it is realistic to expect this kind of development. Applying high density rules to fragmented pieces of residential land will only put off potential home buyers and push them toward purchasing land where there is some certainty their sunlight won't be impeded by development – this will often mean

purchasing land in hazard prone areas which are more affordable (Tāhunanui, The Wood, on hills across town) which is contrary to what PC29 is seeking to achieve.

To me, the best two paths forward with regard to the high density residential zone are twofold:

- a) Redact the high density residential zone and focus on medium density across the board; or alternatively
- b) Develop a regimented consenting process for high density developments that can be applied for in the medium density zone (not making it the permitted level) and allow for consideration for relevant criteria including visual amenity (developing on street corners only; increasing yard setbacks to a minimum of three metres; allowing development only where it borders a public space), safe access to streets (for pedestrians and cyclists) so that higher density development is encouraged (but not permitted as a right) in the areas of town that have the infrastructure to support high density developments.

Rimu Street

My partner Lucy and I recently purchased our first home together on Rimu Street in Toi Toi. We chose this street because of the hazard free status of the land; the safe cycling connections to Nelson City; and the available sunlight hours.

I have concerns with the proposed changes for Rimu Street due to infrastructure currently at capacity, the drastic change proposed from the existing NRMP rules, and the impact that increased development on Rimu Street will have on the existing safety of pedestrians and cyclists.



Rimu Street is currently formed to a narrow formation given the amount of development on the street comparatively to similar streets in the proposed high density residential zone.

Rimu Street is 8 metres wide and currently serves 19 dwellings. The street has no formalised parking, no footpaths and no grass verges on either side of the carriageway. Had this been a proposed subdivision under the current provisions of the NTLDM, a minimum width legal road corridor of 13 metres would need to be provided comprising a 1.5 metre wide footpath and two 1.6 metre wide service strips. As it stands, the Rimu Street formation is five metres short of the current minimum width and also making Rimu Street the narrowest street width in the proposed high density residential zone.



To better understand what other streets may be in a similar situation with poor walking and cycling infrastructure, I visited a number of the high density areas of town to review their streetscapes. Of what I found, Rimu Street was amongst one of the narrowest streets I found (eight metres) and it was the only street to not have any footpath on either side of the street.

Street name	Metres	Grass verges	Footpaths	Street Markings	Comments
Rimu Street, Toi Toi	8	No	No	No	
Gorrie Street, Toi Toi	11		2	1	
Eckington Terrace, Nelson South	11		2	1	
King Street, Nelson East	9	No		2	Marked carparks
Harper Street, Nelson East	8	No		1	
Domett Street, Nelson East	15+		1	2	Maitai River reserve on eastern side of road
Pioneer Street, Washington Valley	15		2	1	
Arrow Street, Washington Valley	8	No		2	
Mules Street, Stoke	10+		2	1	Park on southern side of road
Mobhouse Street, Stoke	10+		2	1	Park on northern side of road
Kaka Street, Stoke	14		2	2	Marked carparks
Pateke Street, Stoke	14		2	2	
Lichfield Street, Stoke	12	No		1	

I believe that Rimu Street would be better suited to medium density residential zoning so that residents can safely travel to and from their properties and that a realistic amount of development is allowed as a permitted activity in the NRMP.

If you have any questions with any of my comments, then please do not hesitate to contact me.

Ngā mihi nui,

A handwritten signature in blue ink, appearing to be 'Mitch Hutchings', with a stylized, flowing script.

Mitch Hutchings

Tp-hutchings@hotmail.com

Submission on Nelson City Council's Plan Change 29

Submitter:

Alec Woods



Email: alecwoodsnz@gmail.com

Thank-you for the opportunity to submit on Plan Change 29 (PC29)

- I wish to be heard in support of my submission.
- I declare that there is no commercial advantage behind my making this submission.

Although there are parts of this submission that I support, I must **REJECT** PC29 and request that the Council's planners go back to the drawing board and come up with a plan that better reflects the wishes of Nelson residents, as opposed to those of property developers.

Interested parties have had over a year to look at this large and complex document and the community has had about 2 months. The community meetings that I have attended have been very popular and it is abundantly clear that this is a highly specialised field.

Once the ink is dry on Plan Change 29 we are going to have to live with it for a very long time so it's important that we get it right. We live in a time of much uncertainty and so plan changes should be incremental and made with the precautionary principle in mind.

My interest in PC29 stems mainly from my involvement with Nelson's heritage sector. I have lived in Nelson for nearly 70 years and have spent much of this time within a couple of blocks of the CBD. Over the years I have come to appreciate the special character of the inner city's built heritage but I have also noticed how we slowly seem to be losing some of its better examples. It concerns me that while some sites on the city fringe are being filled with modern 2-4 story apartments, much of the demolition that has happened in the CBD has resulted in empty sites.

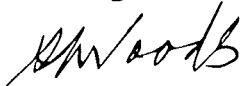
I support increasing the housing stock through intensification (both in-filling and building up) rather than losing more productive rural land to large housing estates. I believe that this intensification should start in the CBD with residential developments above retail spaces in the city centre. I also feel that Nelson South, between Vanguard and St Vincent Streets is an ideal location to build multi-storied affordable housing.

I support the adaptive re-use of heritage buildings. Nelson has an enviable stock of old wooden buildings and this point of difference contributes to its charm as well as having its own economic value. Many owners of these houses spend a considerable amount of time and money converting them into very desirable dwellings while retaining the character of the original structure.

I support the creation of heritage precincts as an expression of the way communities value and appreciate their neighbourhood. I oppose the removal of the Inner City Precinct and the Wakefield Quay Precinct from the Nelson Resource Management Plan. Having been involved in the re-birth of The Boathouse, I am very aware of the way that this has stimulated story-telling along Wakefield Quay.

The process that had been used for assessing the heritage attributes of Nelson City seems flawed. The current and proposed list of individual buildings and heritage areas are not reflective of the unique social and physical history of Nelson and the assessment process did not reflect best practice.

In summary, there is an element of undue haste about the way public consultation on PC29 has been carried out. There seems to be considerable disagreement about how fast the city will grow and where this growth will occur. As a both a resettlement centre for refugees and a destination for new migrants it would seem that the demand for housing should be focused on affordability and location. I believe more thought needs to be put into the housing needs of these groups and what heritage they will value in their new home.



Alec Woods

31. 10. 2023

Plan Change 29 Submission

Peter Kortegast and Sue Ware

E-mail gecko@ts.co.nz

We reject the Plan change 29 outright and want to have input in any modified version of the plan.

We have been residents in Nelson for 24 years.

But if Council were to consider this change, we request the following matters are considered:

1. Nelson City has many areas that have historic character timber housing. Mount Street is one such Street and we were approached previously by council on the matter of a heritage precinct with Mount Street being a good example of timber bungalow style houses. These character housing areas are what makes Nelson a beautiful urban place to live. We recommend the character of Mount St is preserved and it removed from category 2 housing zoning.
2. Mount Street has a land instability overlay. As the majority of sections have steep gradients. We have a history of land movements and slips in our area. Mount Street is not a suitable area for housing intensification. You cannot go and give an area a land instability rating then turn around and allow housing intensification. This is illogical. All land with a land instability overlay should be excluded from housing intensification.
3. The roading infrastructure is narrow, has non-standard horizontal curves, steep vertical gradients and a historic speeding issue. We have little to no footpaths and poor street lighting. The few footpaths we have are consistently parked over as the roads and pedestrians are forced to walk on the road. Our roading infrastructure is not suited to support category 2 housing intensification.
4. Mount Street is a prominent ridge line and is key feature of both the church hill area and Vanguard Valley. If 3 story housing was permitted along the Mount St ridge line then this would have a dramatic effect on the visual character of Nelson.
5. We do not understand the need for Nelson to grow its population by the extent predicted by the regional growth strategy. It seems at odds with the Council declaring a climate change emergency. Population growth is a main cause of climate change and large increases in population should be encouraged in existing large cities not regional centres like Nelson.
6. If Nelson City wants to provide lower cost affordable housing in Nelson we recommend that Council looks to The City Centre, The Wood and flat land in the City Fringe. The Council should improve the Maitai Flood bank protections. This has been modelled and designed, but was stopped by the Nelson City Parks & Reserves Department, as it was unwilling to remove the river side trees. This is small sacrifice and cost to make to protect our city from ever increasing risk of sea level rise and high intensity climate uncertainty rain events. With this flood protection a vibrant City centre and nearby city fringe can be intensified with apartments and is the appropriate place for this. Not steep hill land like Mount St.
7. We recommend any housing unit must be required to provide onsite vehicle parking space.

We would like to speak to our submission.

SUBMISSION FORM FOR NELSON CITY COUNCIL NOTIFIED PLAN CHANGE 29

Received: 6/11/2023
Sub No: S943

NDOCS-539570224-18338

To: Senior Planning Administrator RMA Plan Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter: <i>Louise Francis</i> Full Name: <i>Louise Marie Francis</i> Address: Telephone: Email: <i>louisemfrancis@hotmail.com</i>
--	--

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

I OPPOSE the Plan Change; and particularly the following

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

I SEEK the following decision from the Council

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

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

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

Other comments or concerns I have about Plan Change 29

I believe it is simply immoral to impact the home values and quality of life of people who have spent years acquiring and maintaining their houses. Not only that, but there are problems around increased traffic, noise and congestion.

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

The council should acquire tracts of bare land that are more spacious and build these 'villages' there. I would suggest, still in Hope, further north of Atawhai. Not the Maitai area. I do believe there is a housing crisis...don't make it more of one.

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

...*Louise Francis*...

Submitter

...*19-10-23*...

Date

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

Tuesday 19th September

Nelson City Council
P.O. Box 645
Nelson 7040
New Zealand

Dear Nelson City Council Members,

Habitat for Humanity Nelson has been delivering affordable housing (both rental and progressive home ownership) in the Nelson region for almost 30 years. Affordable housing is a significant concern for many individuals and families in Nelson, and we appreciate the efforts being made by Council to address this issue through Plan Change 29 (PC29).

Affordable housing isn't solely about the initial purchase or rental price of a home. It encompasses the overall affordability of living, including heating and cooling, maintenance, and the costs of commuting to work, education, employment and services. Affordable living becomes more attainable when homes are centrally located. Habitat Nelson supports PC29's intention to intensify housing supply in and around our primary urban areas and hope that this will expand housing options and supply, including the availability of development opportunities for Community Housing Providers. Creating a wide range of centrally located housing options for people of all income groups and abilities is essential for building an equitable and inclusive city.

We commend Nelson City Council for recognising that promoting affordable housing involves not only increasing housing supply but also creating a regulatory environment that encourages affordable development. Streamlining regulations, offering incentives, and fostering partnerships with Community Housing Providers are proactive steps in this direction.

The proposed PC 29 could however be strengthened by:

- qualitative controls and standards to ensure that the resulting outcomes are of good quality, and that affordable housing is actually provided;
- all new developments should be required to include a minimum provision of affordable and accessible housing to address the critical need in our community;
- the quality of life for both residents and neighbours should be prioritised in the development process, ensuring that new developments do not compromise the overall well-being of the community;
- developer incentives for the redevelopment of existing urban areas should target inclusivity and affordability. Incentives could include a fast-tracked consent processes, discounts or waivers for council fees, and coordination and funding for related infrastructure upgrades.

We thank you for your commitment to working with Community Housing Providers such as Habitat to provide affordable housing in Nelson and work towards a more equitable and vibrant community.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a final flourish.

Chloë Howorth
Business Development Manager

RMA Submission Form for Publicly Notified Plan Change 29



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

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

(Hand delivery or courier to: Ground Floor, Civic House, 110 Trafalgar Street,
Nelson 7010 or email to: environmental.planning@ncc.govt.nz with plan
change no.29 in the subject line)

OFFICE USE

Submission No: S945

Date Received Stamp:

1/11/2023

NDOCs No: 539570224-18342

*Required

Submitter Details

Full Name*	Scott Campbell		
Organisation			
Contact Person			
Postal address*	NA		
Telephone*	NA	Email*	scottjc67@gmail.com

Trade Competition*

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

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

Council Hearing*

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

Public information

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

Signature of Submitter*

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

1/11/2023

Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

I suggest we move the car dealerships from town to the outskirts. It's called town planning.

Car yards are often not developed land

Often the land is suboptimal against the hill in the industrial area

The neighbours won't be concerned about intensive action

The land is very close to services

If you are shopping for a car you probably already have transport, therefore driving to the outskirts isn't an issue

The land is perfect for redevelopment into inner city housing opposed to carparks for mostly Japan's used rubbish

Thank you for the opportunity to make a submission. Sorry it's slightly late.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

NA

Note:

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

RMA Submission Form for Publicly Notified Plan Change 29

Return your submission by 4pm on
Tuesday 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,
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change no.29 in the subject line)

OFFICE USE

Submission No: S946

Date Received Stamp:

31/10/2023

NDOCs No: 539570224-18343

*Required

Submitter Details

Full Name*	Sarah and Christian		
Organisation			
Contact Person			
Postal address*	NA		
Telephone*	NA	Email*	greenredblueblack@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.
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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

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

- | | |
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| ☒ Entire Plan Change | ☐ Papakāinga |
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| ☐ Heritage | ☐ Other |

- | | | |
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| | ☐ Support the Plan change in part | ☒ Support the Plan Change |
| | ☐ Are Neutral about the Plan Change | ☐ Request amendments to the Plan Change |

My submission is*:

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

Apologies I didn't find the time to read all the documents and write a formal submission on plan change 29, but just wanted to informally give my two cents anyway. I imagine there are many other young people like myself with busy lives who feel the same - that we are desperate for more housing options, particularly close to the city centre. I appreciate the lengths the council went to to consult the community but worry voices like mine are not heard.

I currently live in Auckland with my partner but we are looking to return to the south Island with Nelson being our first choice. We are mid career professionals (I'm a teacher and he's an infrastructure technician in the public sector) who have been crippled by the cost of housing here. We are active in our community (volunteer with a local conservation organisation, in sports clubs, support local businesses) but the issues created by urban sprawl and unaffordable housing have forced us to look at cutting these ties and moving away.

We implore the council to consider people like us who want the chance to move to Nelson and contribute to the city as we have done in Auckland. The availability of affordable housing remains our most important issue.

RMA Submission Form for Publicly Notified Plan Change 29

I seek the following decision from the Council*:

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

Accept Plan Change 29

Note:

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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.

Plan Section	Provision	Support/Oppose	Reasons	Decision Sought	Attachments
Appendix 1 - heritage buildings, places and objects	Table 1.2b heritage buildings places and objects (within scope of Plan Change 29)	Support in part	This heritage item was assessed in 2010 [report updated 2016] as part of the review of Appendix 1 of the Nelson Resource Management Plan. This review confirmed the heritage significance of the stone wall and recommended its inclusion in Appendix 1 with a Group B rating. Damage to the wall in 2020 gave rise to its cladding in concrete, which has resulted in the historic stonework being almost entirely obscured from view. The recent modification to the wall has significantly undermined its built	Remove the Category B Stone Wall at 116 Rutherford Street from Appendix 1 of the NRMP.	NDOCS-539570224-16443

			heritage values. It is therefore recommended that the item be removed from the PC29 iteration of Appendix 1 of the Nelson Resource Management Plan.		
Inner City Zone	ICr.35 - Daylight admission - Boundary with Residential Zone	Support in part	The residential controls are aimed at ensuring that a residentially zoned property is not penalised having a commercial rather than a residential neighbour. However the rule in its current form does not clearly state that the daylight controls only apply to the particular boundary	Amend Rule ICr.35 to make it clear that the daylight controls only apply to the specific boundary that adjoins a residential zone.	

			that adjoins a residential zone.		
Suburban Commercial zone	SCr.27 - Daylight admission - Residential Zone boundaries	Support in part	The residential controls are aimed at ensuring that a residentially zoned property is not penalised having a commercial rather than a residential neighbour. However the rule in its current form does not clearly state that the daylight controls only apply to the particular boundary that adjoins a residential zone.	Amend Rule SCr.27 to make it clear that the daylight controls only apply to the specific boundary that adjoins a residential zone.	

Industrial Zone	Rules	Support in part	Plan Change 30 proposes to amend the zoning of the Nelson Airport from the Industrial Zone to a new Airport Zone. Plan Change 29 makes changes to the rules that apply to the Industrial Zone that are intended to also apply to the Airport. Any change of zoning for the Airport should carry over the Plan Change 29 provisions. This is needed to ensure the Plan Changes are integrated, and provides flexibility for this to occur regardless of the timing of either Plan Change being made operative.	Introduce a rule that ensures that the provisions in Plan Change 29 apply to the Nelson Airport.	
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Residential	DO14, Matters of control/discretion/assessment criteria for REr.17B, REr.18B, REr.19B, REr.22, REr.107	Support in part	Multi-unit developments enabled by PC29 regularly include shared facilities that require ongoing maintenance e.g. access lots, stormwater detention, acoustic fencing, landscaping, communal rubbish collection areas etc.	Clarify the matters of control/discretion/assessment criteria for REr.17B, REr.18B, REr.19B, REr.22, REr.107 to enable consideration of ownership and maintenance of shared facilities on site.	
Natural hazards	Hazard Overlays - Inundation and Flood Path	Support in part	The Inundation and Flood Path overlays include historical data (polygons) relating to problematic stormwater areas. Since the preparation of Plan Change 29, the stormwater modelling has sufficiently progressed in some parts of Nelson to enable the removal	Amend the Innundation and Flood Path Overlays to reflect latest stormwater modelling information, including: 1. Delete the Innundation Overlay applying to the site in the vicinity of 256 Vanguard Street. 2. Delete the Floodpath Overlay from the vicinity of 268 Vanguard Street and 259 The Ridgeway. 3. Delete the Floodpath Overlay	

			of three polygons completely and the removal of the northern half of one stormwater related polygon in the Inundation and Floodpath overlays. Assessment of the Inundation and Floodpath overlay polygons against the 2130 catchment flood models and 2090 stormwater network models has found that stormwater is not projected to be problematic for two polygons in the vicinity of Vanguard Street, one in the vicinity of The Ridgeway and the northern half of one in the vicinity of The Ridgeway.	from the vicinity of 265A and 267 The Ridgeway.	
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Natural hazards	Hazard Overlays - High Flood Hazard and Flood Hazard	Support in part	The flood modelling and mapping for 19 and 23 Todd Bush Road was reviewed following notification of Plan Change 29. The review has concluded that the land elevation and flow transfer between the flood channel and the floodplain is not well represented in this locaton. This has resulted in the flooding on these properties being shown on the flood overlays where it would not be expected. To address this matter, the overlays in relation to these properties require amendment.	Delete the High Flood Hazard Overlay from 23 Todd Bush Road and the Flood Hazard Overlay at 19 Todd Bush Road.	
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Inner City Zone	ICr.58(c) Flood Path, Floodway	Support in part	The inclusion of 'except' in ICr.58(C) Flood Path, Floodway prevents earthworks associated with the establishment, operation and maintenance of underground network utility lines where the profile of the land is not permanently altered, being a Permitted Activity. This does not reflect the intent of subsection ICr.58(c).	Delete the word "except" from ICr.58(c) Flood Path, Floodway.	
Natural hazards	References to sea level rise in relation to levels, terminology and year	Support in part	The NRMP contains references to sea level rise which are out of date. Plan Change 29 has made changes to some of these references in the amended chapters. However, a review of	Ensure that references to sea level rise are consistently referenced in the chapters amended by Plan Change 29.	

			references to sea level rise in Plan Change 29 is required for consistency.		
Chapter 2	Definitions	Support in part	It is necessary to ensure that the definitions for papakāinga are clear and able to be efficiently administered by the Council.	Ensure the definitions relating to papakāinga align with the Te Ture Whenua Maori Act 1993 where necessary and appropriate.	

Chapter 7 Residential Zone Rules Chapter 8 Inner City Zone Rules Chapter 9 Suburban Commercial Zone Rules Chapter 10 Industrial Zone Rules	maps Fault Hazard, Liquefaction, Slope Instability and Debris Run-out Overlays	Support in part	The Plan Change 29 Overlays are displayed in ePlan, an electronic tool for displaying the Plan Change text and any associated overlays. The ePlan tool enables a property search, the search shows the Overlays affecting the property by text. However, when viewing the Liquefaction, Slope Instability and Debris Run-out Overlays it is difficult in some instances to determine whether the geotechnical hazard overlay affects a property or the extent to which it affects the property. The viewing scale has been limited for	Review the display of the Fault Hazard, Liquefaction, Slope Instability and Debris Run-out Overlays and the associated provisions to ensure that it is clear when and how that a property is affected by the rule associated with the Fault Hazard, Liquefaction, Slope Instability and Debris Run-out Overlays.	
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			some geotechnical Overlays as the scale of the geotechnical assessment is of a regional nature and not intended to be used at a property scale, however this causes implementation issues with the permitted standards REr.74A, 75A-75U and REr.110B, REr.112A-D (and the equivalent rules in other zones as relevant) being at a property scale. Amendments to the Liquefaction, Slope Instability and Debris Run-out overlays or provisions are required to ensure that they are clear and workable in the		
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			context of the District Plan.		
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Chapter 7 Residential Rules	RER.17 A-M, RER.18A-M, RER.19A-M	Support in part	The daylight admission rules in the General Medium and High Density Residential zones have an exclusion which states that the standard does not apply to party walls, and any new allotment boundary related to these. While this exclusion is captured in the daylight admission rules, there is no corresponding exclusion in any of the other provisions. For example while a party wall may not need a resource consent under the daylight admission rule it will require a consent under the yard setback rules	Amend the building location provisions in RER.17 A-M, RER.18A-M, RER.19A-M as necessary to provide for party wall exemptions.	
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			REr.17E, 18E and 19E.		
Chapter 7 Residential Rules	REr.17 M, REr.18M, REr.19M	Support in part	There is a lack of clarity over the requirement for 20% glazing of street facing facades under this standard. Issues that require clarification or reconsideration include: • How the lower extent of the façade is identified, especially for dwellings on sloping sites. • Identification of which facades are	Amend standards REr.17 M, REr.18M, REr.19M and/or insert a definition of street facing façade to clarify the implementation of standard and achieve the intent of the standard.	

			'street facing' with respect to, for example, rear sections, dwellings that front private right of ways, distance from the street and orientation on the site. While some additional clauses were inserted with Plan Change 29 to clarify the calculation of façade area with respect to areas enclosed by gables and whether garage doors can contribute towards glazing, these may require further consideration.		
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Chapter 7 Residential Rules	REr.17B, REr.18B, REr.19B	Support in part	In the experience of Council staff, individual recycling bins for each residential unit result in better recycling than communal systems because of the sense of individual 'ownership' of the waste and accountability. The provision of space for storage of recycling bins is key to their use and mitigating their visual impact. As the NRMP, in turn, is a key tool influencing development design, consideration could be given to using the NRMP to encourage specifically the provision of space for individual recycling	Consider whether the NRMP should be amended to encourage space for individual recycling bins, such as by amending matter of discretion REr.17B, REr.18B, REr.19B.	
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			bins (over communal recycling bins) at least for less intensive housing typologies such as detached residential units and terraced housing.		
Chapter 7 Residential Rules	Residential units per site Height Recession Plane	Support in part	P29 allows for intensification but it does not specifically manage the potential adverse effects of taller buildings on the function and amenity of public open spaces, particularly smaller public open spaces (e.g. Hallowell Cemetery and Wellington Reserve). These potential adverse effects	Consider amended provisions such as building height restrictions or height in relation to boundary rules for sites that directly adjoin public open spaces that are vulnerable to adverse effects from high density development (including but not limited to smaller open spaces and parks containing heritage trees vulnerable to wind).	

			include shading of publicly accessible areas and wind conditions. Maintaining a quality network of public open spaces will be important to provide for the social well-being and recreational needs of residents in the future.		
Appendix 11	Transport - AP11.3	Support in part	Clarity is needed over how to calculate the number of units or lots accessing a private accessway for the purpose of the proposed standard for private rights of way, especially in the context of the permitted standards REr.17B, REr.18B, REr.19B, which allow up to three units on a site, as of right.	Amend Appendix 11 to clarify how to calculate the number of residential lots accessing a private accessway for the purpose of standard AP11.3.	

			Should vacant residential lots be considered to contain three residential units, or one residential unit (unless a greater number of units has obtained a building or landuse consent, in which case that number shall be used).		
Appendix 1 - heritage buildings, places and objects	Mapping	Support in part	There is a mapping error in PC29's Heritage Building Objects and Places layer. The map shows objects that are not on Appendix 1 - heritage buildings, places and objects	Modify the PC29's Heritage Building Objects and Places layer to removed the heritage symbol from the following properties: 18 Ngatitama Street, Trent Drive, 415 Wakefield Quay and 5 Fountain Place	

Heritage Review of Proposed Group B Scheduled Item - 'Stone wall', 116 Rutherford Street, Nelson



Prepared for: Mithran Gopinath - Senior Planning Adviser, Nelson City Council
Prepared by: Dr Ann McEwan - Principal, Heritage Consultancy Services

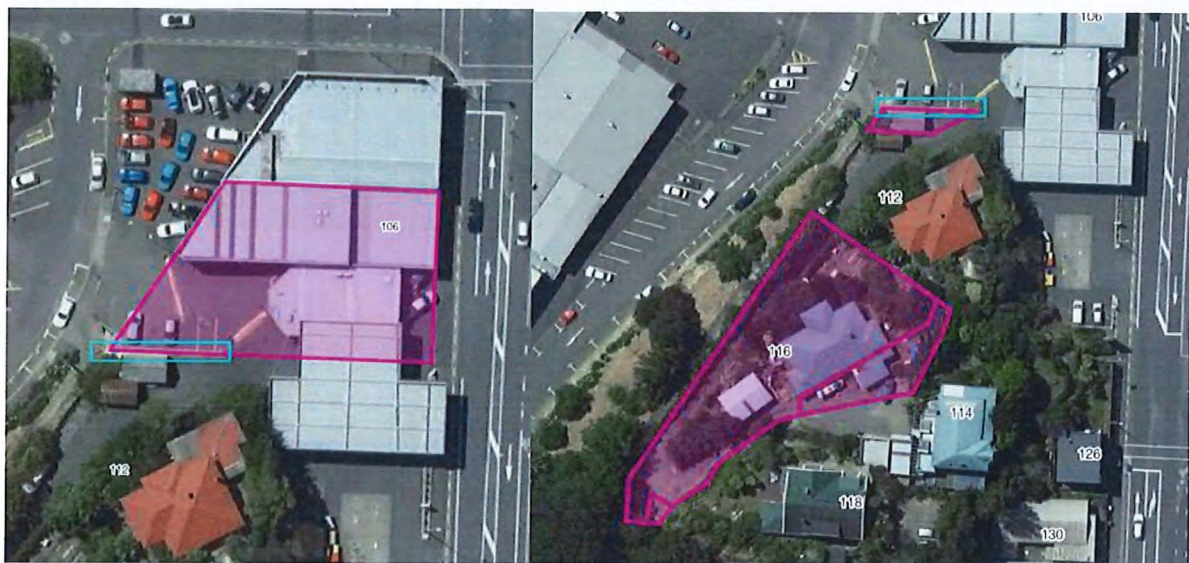
28 September 2023



HERITAGE
CONSULTANCY
SERVICES

Background

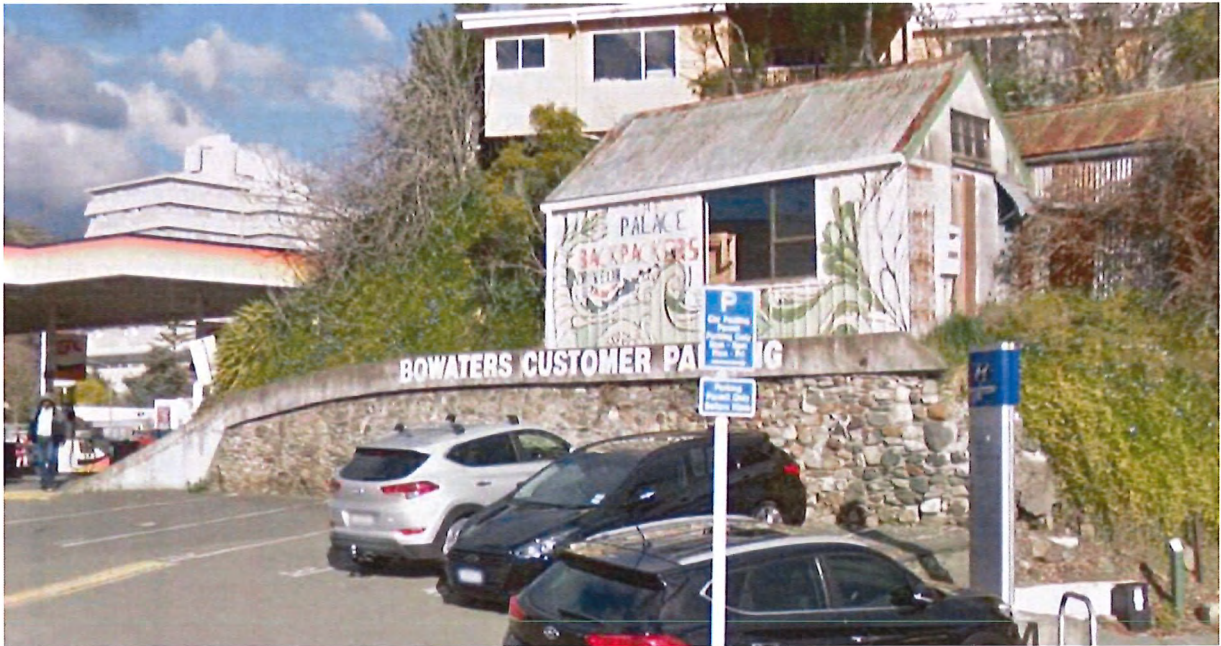
This heritage item was assessed by archaeologist Amanda Young in 2010 [report updated 2016] as part of the review of Appendix 1 of the Nelson Resource Management Plan. Ms Young confirmed the heritage significance of the stone wall and recommended its inclusion in Appendix 1 with a Group B rating. The address of the wall is given as 116 Rutherford Street in the PC29 version of Appendix 1 and 106 on Ms Young's historic heritage item record form (see attached). The wall appears to be located on the boundary between 106 Rutherford Street and the small lot that is part of the property located at 116 Rutherford Street. The wall is not listed by Heritage New Zealand Pouhere Taonga but it is recorded as an archaeological site (NZAA Site # 027/252). Damage to the wall in 2020 gave rise to its cladding in concrete, which has resulted in the historic stonework being almost entirely obscured from view.



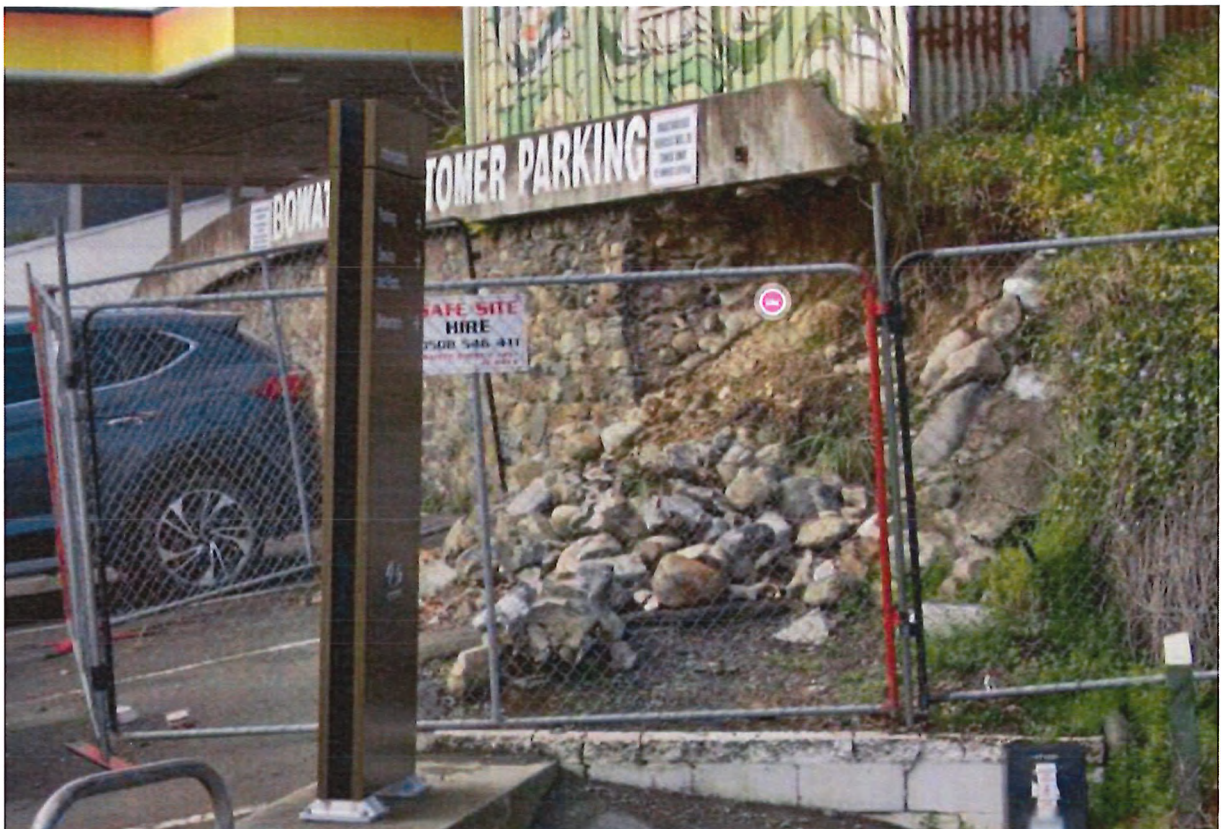
Two figures above show location of the wall outlined in turquoise. LINZ.



The wall in August 2023 showing remnant stones at the base of sprayed concrete wall. NCC.



The wall in August 2018. Google Maps.



The wall in August 2020, showing damage at the west end. Google Maps.

Discussion

Ms Young dated the wall to c.1871 and recorded that the concrete capping was installed in 1989 by Chris Skinner, a local builder. The wall is considered by Ms Young to be a remnant of a stable built by John Lock on the site bounded by Rutherford and Kerr Streets (formerly Waimea and Wellington Streets) in 1871. As Lock acquired the part of Section 669 lying immediately south of the stone wall in 1862 it could be that the wall was built before 1870, in which year Lock purchased that part of Section 669 to the north of the wall, which is thus situated on the boundary between the two land parcels (see below).

340

Part of Town acre 669 Nelson. (30 feet to Waimea St.)

Number.	Receipt of Instrument.	Nature of Instrument.	Parties.	Date of Instrument.	Where Recorded.	Reference.	Signature.
1211	1858 July 20 12 0	Conveyance	H. Hough to Fred. Forman	1858 July 20	2	250	1/10 921
1212	1862 June 20 11 30	Release of Mortgage	Fred. Forman to William Hough	1862 June 20	12	50	1001 2 911
1213	1870 May 21 10 50	Conveyance	F. Forman to J. Lock	1870 May 19	19	12 9	
1214		Mortgage	J. Lock to W. H. Phillips	1870 May 20	11	31	
1215	1881 May 12 11 60	Release of Mortgage	W. H. Phillips to John Lock	1881 May 9	15	28	
2575	1895 September 20 11 0	Probate of Will of John Lock deceased		1895 July 29	8	17 m 945	
2609	1895 December 12 11 0	Conveyance	J. Lock & P. H. H. to Wm. John Lock	1895 November 28	28	21/2 23	
2609	1895 December 12 11 0	Conveyance	Wm. John Lock to John Lock	1895 November 29	29	21/2 24	

806

Part of Town acre 669 Nelson. (38 feet to Waimea St.)

Number.	Receipt of Instrument.	Nature of Instrument.	Parties.	Date of Instrument.	Where Recorded.	Reference.	Signature.
5711	1862 June 19 11 0	Conveyance	William Hough to John Lock	1862 June 12	12	42	1001 2 501
5712		Mortgage	John Lock to Frederick Forman			371	
5713	1864 May 19 11 30	Release of Mortgage	Fred. Forman to John Lock	1864 May 18	18	5 m	
5714		Mortgage	J. Lock to Wm. Adams & Wm. H. Phillips	1864 May 19	19	5 m	
2599	1895 September 20 11 0	Release of Mortgage	Adams & Phillips to John Lock	1895 March 8	15	17 m 945	
2599	1895 September 20 11 0	Probate of Will of John Lock deceased		1895 July 29	8	17 m 945	
2609	1895 December 12 11 0	Conveyance	J. Lock & P. H. H. to Wm. John Lock	1895 November 28	28	21/2 23	
2609	1895 December 12 11 0	Conveyance	Wm. John Lock to John Lock	1895 November 29	29	21/2 24	
2609	1895 December 12 11 0	Mortgage	John Lock to W. H. Phillips	1895 November 30	30	21/2 25	
2609	1895 December 12 11 0	Mortgage of L.	John Lock to Wm. Lock	1895 December 3	3	21/2 27	
2627	1897 July 21 23 0	Release of Mortgage	William Lock to John Lock	1897 June 29	29	21/11	
2628	1897 July 21 23 0	Release of Mortgage	W. H. Phillips to John Lock	1897 June 28	28	21/11	
2629	1897 July 21 23 0	Conveyance	John Lock to Charles & Wm. H. Phillips	1897 June 29	29	21/11	
2630	1897 July 21 23 0	Mortgage	C. & W. H. Phillips to George Dalmond	1897 June 30	30	21/12	

Nelson Deeds Index 5, pages 340 & 860 showing relevant land acquisitions by John Lock in 1862 and 1870. Archives NZ.

Assessment & Recommendation

The age and original purpose of the wall cannot be definitely established from historic sources. Nevertheless the circumstantial evidence would support a later 19th century (1860s/1870s) date of construction, possibly in relation to a building that is no longer extant.

The recent modification to the wall has significantly undermined its built heritage values. It is therefore recommended that the item be removed from the PC29 iteration of Appendix 1 of the Nelson Resource Management Plan.

The structure still qualifies as an archaeological site, however, and removal from PC29 Appendix 1 will not alter its position on the NZAA site recording scheme. As a pre-1900 archaeological site any future modification or destruction of the wall will almost certainly require an archaeological authority from Heritage New Zealand Pouhere Taonga.

The property's owner should be advised of the site's archaeological status in tandem with a recommendation to remove the wall from PC29 Appendix 1.



Dr Ann McEwan

Attachment: Historic Heritage Item Record Form for Stone Wall at 106 Rutherford Street, Nelson.