

S81

Voided

SUBMISSION PC29:

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Signature of Submitter:

Date: 30th Oct., 2023

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

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

I've read and understood the NCC's Privacy statement.

I reject PC29 in its entirety. My research supports the notion that Intensification is a worthy and necessary need, but the process and proposals of PC29 are sufficiently deficient to warrant a new start. A rejig of the proposal has been suggested. If this is sufficiently comprehensive to achieve what my submission will cover, I would support that, but believe it needs a fresh start.

DECLARATION Ref: RMA Submission Form for Publicly Notified Plan Change 29: Pg. 3: 4: e.

I make my submission as a concerned citizen. I have studied Urban Sociology, Environmental Sociology, Public Policy for my post-graduate First-Class Honours degree, and for my 1998 MA (Hons) thesis I wrote 'The Move to Inner City Apartments: The Changing Residential Patterns in Christchurch', within the context of New Zealand's idea of the 'meaning of home', revealing the extent to which political and economic factors have shaped our residential patterns and how this construction has played out in an environment influenced by the constraints of an interpretation of environmental sustainability, an effects-based planning regime created by the RMA (1991) and the economic growth strategies of the 'free market'. These matters relate to how our residential forms constrain and / or empower us, as relevant today as it was in 1998. My thesis was supervised and informed by the renowned Professor of Sociology, David Thorns, elected member Fellow of the Royal Society of NZ and in 2009 appointed an Officer of the NZ Order of Merit for services to Urban Sociology.

Part of my independent social research consultancy work included the Sydenham Social Needs Assessment 2000, carried out for the CCC.

My submission to Nelson's Plan Change 29

Introduction

I believe the process of preparing and publicly notifying the PC29 proposals was sufficiently deficient to warrant a complete rethink on how to proceed with Nelson's Intensification strategy. To focus on the miniscule details of PC29 presupposes an acceptance of the process as being adequate and fair. To attempt to pinpoint the deficiencies in the detail of CP29, without first acknowledging and remedying the process failures, will result in a policy that does not have credibility or support of the community, and by definition, will not provide good urban design. The risk, if PC29 continues without significant change, is that the potential to make real progress and gain acceptance of the need for intensification will be severely reduced. My submission will refer to specific provisions of the PC29, as well as the lack of clear definitions; comments and attitudes of those in authority where these impact on correct process; and issues of supporting documentation of the PC29. All matters covered will, by their nature, relate specifically to the Plan Change. **Action requested or questions asked, will be in italics and will be underlined.**

Points of Concern / Questions

- 1) The proposed PC 29, with the supporting documentation demanded of a legal document, is so complex, detailed, lengthy and inaccessible for many, that it is unreasonable to expect most citizens to have the ability, stamina, or confidence to digest, analyse and make meaningful comments on the contents, in the available time.

A draft version of a revised plan change needs to be expressed in plain language, and a broad-based community consultation process completed before technical details of a formal proposal are considered.

This draft will need to be informed by a regional Urban Development Agency, formed to be a permanent advisory and facilitating body of local experts in the field of urban development.

- 2) It is unacceptable that there was no provision for a paper copy of PC 29 and the Section 32 reports for residents who do not have access to, or the ability or access to use a computer.

The Local Government Act states (LGA ref. 82 Principles of consultation. 1) local authorities must abide by the following principles: (a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons."

This needs to be rectified before PC29 is accepted in any form. (see above: Points of Concern No.1))

- 3) **The RMA requirements of a plan change of this significance are for a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.** It states it must include policies and practices that need to "enable people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety" while "avoiding, remedying or mitigating and adverse effects of activities on the environment." The Act also requires that particular regard be given to. Among other things, "the maintenance and enhancement of amenity values" (Section 7) which are defined as "those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes." Supporting evidence provided by council, although extensive, was not comprehensive as no community, resident-based data was collected. **The Council needs to answer the question: Have the RMA requirements regarding community consultation been met?** For this concerned citizen they clearly have not been met.

Referring to the Local Government Act 2002 (LGA) it is noted under Principles relating to local authorities: b) "a local authority should make itself aware of, and should have regard to views of all its communities." Under 77, Requirements in relations to decisions (1) "A local authority must, in the course of the decision-making process, (a) seek to identify all reasonably practicable options for the achievements of the objective of a decision".

Council's decision to not include full consultation with communities when preparing the draft or the final proposal of PC29 and ignoring available studies that contradicted its proposal would appear to be inconsistent (ref. (LGA 80 Identification of inconsistent decisions).

The Council needs to answer the question: Have these requirements under the LGA been satisfied? For this concerned citizen they clearly have not been met.

A comprehensive community consultation process, including a Social Impact Assessment to analyse possible effects on individuals, groups and communities, was not conducted. It would provide the quantitative and qualitative data that a comprehensive community consultation process demands. When I made enquiries, I was advised by the Council's Senior Planner Coralie Barker that "There hasn't been a specific Social Impact Assessment done for PC29. I don't know of any specific social impact assessment for the draft Whakamahere Whakatū Nelson Plan (WWNP) either.... the focus seems to be on housing and business land capacity/ economic impacts."

A Social Impact Assessment (SIA) needs to be part of a comprehensive community consultation process, as an essential component of a plan change draft. Only then could a final proposal be created before being publicly notified.

- 4) My concern is not only the lack of any direct community consultation for PC29 but also Council's lack of reference to previous studies and available material, that was not acknowledged or did not appear to inform the present proposals. I will note a number of these as the issue needs to be addressed as part of analysing the process and proposals of PC29.
 - a) The present council staff and councillors need to refer to the SIA that was carried out for NCC in 2010; 'Report on Change to Arterial Roadings.' I quote from that report: "The Resource Management Act (RMA) requires an assessment of actual or potential effects on the environment of any plan change". A "SIA pays particular attention to assessing the impacts on social wellbeing, physical and psychological severance, safety and recreation." "Social severance (or dislocation) is the term used to describe the effects." "There are two aspects of social severance: physical severance and psychological severance. Severance can be reduced by design details informed by local knowledge of community interactions which is why it is important to involve local communities in deliberations."
 - b) It is a mystery why Council also failed to incorporate or acknowledge the advice of the **Nelson Richmond Intensification Study Stage 1 – Pathways**, prepared for: **Nelson City Council & Tasman District Council: Boffa Miskell Limited, Jerram Tocker Barron Architects Limited**, dated September 2007, but still highly relevant. Its purpose was to encourage proportionally

more development in the medium to high density range in the context of Nelson and Richmond.

Key Findings of the Nelson Richmond Intensification Study report:

"Intensification policies have a need for careful considered leadership, good design and input from urban design experts every step of the way;

Quality is imperative because the impact on the quality of life of residents of poor-quality development is considerably greater at more intensive levels of development than it is for lower densities;

It was noted that even at lower densities, developments derived by average and blanket standards have produced lowest-common-denominator blandness in many places;

Each development needs to be tailored to suit the specifics of the site rather than having a 'one size fits all'.

It will be important to have Council-led consultation with communities to assist the process of understanding and to enable changes to intensification areas or management; a thorough consultation programme will need to be prepared and conducted.

An option for Council is to leave it to the market to come to its own conclusions about what will work or not. The risk with this is that it could be done poorly."

- c) Mentioned briefly in the supporting evidence for the PC29 was the survey, **Nelson-Tasman 'Housing We'd Choose,' Housing Demand Preferences, June 2021**. All housing options presented in this survey were new-builds: However, I was unable to find any details of the findings of the survey in this report. Looking at the actual report, the key findings of the demand preference survey were: "...respondents consider that the most important features of a dwelling are that it is safe from crime, followed by having a freehold title and is sunny. Other important features of housing include; safe from natural hazards and that it is standalone."

I'm not arguing here that these findings of the 'ideal home' should necessarily take precedence over all intensification strategies but they need to be noted, along with the need to change opinions as to what some might define as nostalgia on the one hand, or intransigent views from either end of the continuum, on the other.

- d) Another notable absence was the **Urban Design Agency request put to Council in 2021** as one of a range of options to increase the supply of affordable housing within the region. The option was not adopted by Council due to their perceived costs, or included in any analysis of the issues, that I could find.

KEY POINTS of the Proposal

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

I support the proposal as detailed in the nelson-tasman2050.org.nz correspondence with council, requesting it reconsiders its earlier rejection of such a report. Any submission that supports the forming and active participation of such an UDA has my full endorsement. Cost accrued by establishing and maintaining a UDA needs to be compared to the costs of a failed process, or outcomes of a suboptimum planning change. These will not only be financial.

Questions are: Were these available studies used to inform the proposed PC29, and if so, why was the wisdom or advice not addressed or included in PC29? If they were not part of the Council’s investigation of the PC29 does the Council consider this to be in any way justifiable, or that this omission would be considered ‘inconsistent’ under the LGA? (Ref. LGA: 80 Identification of inconsistent decisions.)

My own research has shown evidence of the wisdom of incorporating a design-led approach to urban planning. It also provided evidence that there are many in the community who welcomed higher density and apartment style living options, and a general recognition of the need for intensification and the possibility of changing residential styles becoming normalised in appropriate locations. It also found, promoting developer-driven developments was counter-productive, with the reality being that profits will trump better design and sensitivity

to amenity values every time. Our 'Leaky Home Syndrome' is more than a distant nightmare. We need to be mindful of past mistakes. *Ask ourselves, has the 'market' delivered good housing supply, social housing or sustainable, affordable good urban design in New Zealand over recent decades? No, it has not. To perpetuate this system, by encouraging the same, is not tenable. I request that the council addresses this question fully.*

- 5) It is noted that the NCC is not obligated under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act, in regards to medium density requirements. This required all tier 1 councils to amend their district plans to give effect to the Medium Density Residential Standards (MDRS). However, the Act provides for the Minister for the Environment to direct a tier 2 council to give effect to the MDRS if an acute housing need is identified locally, and the Minister can also direct a tier 2 or 3 council at the council's request. The only tier 2 council to have been directed is Rotorua Lakes, at its request.

NCC has not requested to be directed and there are no plans from the government to direct NCC to give effect to the MDRS. (REF: **Jason Haskel**, Policy Advisor | Urban Development Enablement, Policy and Legislation Design. Ministry of Housing and urban Development).

Council needs to clarify what appears to be information that contradicts NCC stated imperative of having to include medium-density, let alone high-density plans, into its residential zones. I was given incorrect information from a NCC planner that 'Nelson could have applied to become a tier one city but chose not to.' (My advice, contradicting this opinion, was given by Policy Advisor | Urban Development Enablement, Policy and Legislation Design. Ministry of Housing and urban Development.)

6) Concerns over Council's public commentary on the process of PC29:

While researching for my submission I was told by a councillor that citizens knew and accepted the need for the now proposed intensification because they elected the councillors who were now responsible for the PC29 proposal. This is an unhelpful, presumptuous attitude. No government regulations, studies or even their own Future Development Strategy that informed the draft, indicated that High Density in residential zones was ever considered a possibility. To turn the responsibility around to voters, to state that the PC29 is simply the result of democracy, is an extremely worrying indicator of councillor's inability to conduct themselves with impartiality or understanding of the issues.

Following the outpouring of discontent, our Deputy Mayor was quoted in the media as stating: "The Council was testing an idea, and wanted to hear the public feedback". This is not an acceptable way to engage with the statutory law-making process. It is an approach that is insensitive to the communities who will be directly or indirectly impacted by the proposed changes, effects that potentially have significant, physical, emotional, financial and health outcomes. It is an approach that typifies the Plan29 debacle, indicating little regard for correct process, a crude sense of urban design finesse, and an irresponsible attitude to those being served.

Councillors need to be made aware of the consequences of this attitude, the lack of understanding it demonstrates, and how this impacts the confidence residents have in the PC29 process and proposals. Does a majority in council support this view?

7) Questions over the recent move by the mayor and some councillors to halt the PC29 process:

a) My concerns over the unsuccessful attempt to halt the process, are shared by many. I quote our mayor; "...I was wrong in assuming what was in the PC29 was consistent with the Future Development Strategy...PC29 is very significantly different to what was in the FDS, and during consultation there was no mention of site boundaries, daylight angles or whether six story buildings would require publicly notified consent....they are really critical details of which there should have been some engagement with the community beforehand....I have erred in not checking those details and in hindsight, the council should have done pre-notification community consultation." The council vote to halt the process was not carried, 7/5.

It is my contention that, with the facts of a faulty process, the evidence proves they were wrong to NOT take the mayor's advice, and this decision needs to be reversed.

b) Accountability and Transparency: My attempt, made under the auspices of the Official Information Act, to understand the legal advice that was given to councillors in an in-committee meeting, prior to the vote being taken to halt the process, was twice denied. In the first instance my request had been misinterpreted. I had asked for the legal advice only, but I was denied because, 'councillors need to feel free to express themselves.' I was not asking for a transcript of the debate. My second request was refused as I was informed "...it was not essential for my submission".

As the legal advice concerned information regarding a matter of great public concern, and did not relate to any current legal challenge before the courts, I did believe I had a right to know what that advice was. I am a private citizen without the necessary resources, time or financial, to seek a legal opinion or an appeal to the Ombudsman, but I did wish to make it known to the panel that this request was denied and I believe the public should be aware of it. I note the recently released finding of the chief Ombudsman Peter Boshier into local council's tendency to 'undermine local democracy' by making critical decisions away from the public eye, with controversy, complexity or the potential for embarrassment, no reason to exclude the public. (ref. Nelson Mail. Wed. Oct 25th "Secrecy inevitably breeds suspicion" he said.

Would Council reconsider its decision to keep this advice secret, and release the legal advice that was given? With the weight of public opinion persuade those councillors, who voted to continue the process, to change their opinion?

8) Justification of High-Density developments in Residential Zones

NCC, as it introduces PC29, **needs to provide their definition of 'community' and 'environment'** as these changes have been justified "...to continue to meet the needs of the community whilst allowing development and safeguarding our environment."

Community is commonly defined as those having commonality such as place, culture, values, customs or identity, sharing a sense of place in a given geographic area, trust and caring for each other, with an individual and collective sense they can influence their environments for good.

The RMA definition of environment includes: 1/ ecosystems and their constitutional parts, including people, communities AND 2/ all natural and physical resources AND 3/ amenity values AND 4/ the social, economic, aesthetic and cultural conditions which affect or which are affected by those matters. The economic rationale is the common argument put forward to allow Medium to High Density zones in residential zones and this needs to be challenged.

Medium or high-density developments, require a much greater level of expertise, than the one-size-fits-all planning approach. However, PC29 High-Density Zone description makes an economic criterion for high-density development the over-riding planning consideration. This contradicts applying a comprehensive definition of 'community' and 'environment', found in both the RMA and the LGA legislation, which requires a close consideration of, and respect for, the rights and preferences of the most affected residents.

Supporting documentation from **Barker & Associates Limited Date: 15 March 2023 Re: Plan Change 29**, found '... the cost of construction greater than three storeys in New Zealand increases significantly.... [making] a higher permitted building height would be appropriate.... **addressing any adverse effects...** depends on the quality of planning and design provisions.'

Council needs to provide the information concerning what are the adverse effects they have documented regarding High-Density developments and how do they plan to mitigate these.

This is information I could not find in the PC29 documentation.

The report goes on: '[but] There is a risk that assessment criteria are interpreted or treated like rules which must be satisfied for a proposal to be deemed appropriate. If this approach is taken, they may act as a hinderance to development.'

The mayor stated at a public meeting that it was necessary to attract developers from outside the area, to remove impediments to encourage developer driven builds. Developers will tell you the time delays and costs of getting consents through will impact their profit margins. The less restrictions they face the more attractive it will be. **At the Nelson South community meeting, held as part of the belated moves to consult with residents, our mayor appeared to throw any notion of bi-partisanship in local government aside, when speaking of these potential moves to shape the future direction for our planning rules, he finished by commenting, with a smile, that now we would all know how to vote in the upcoming general election. The inference was clear and as a concerned citizen it caused considerable disquiet. Even more reason to develop an urban plan that recognises and respects what it is residents value in terms of light, privacy, sun, and basic quality of life.**

The council's decision not to have conducted direct community consultation or a Social Impact Assessment prior to the formation of PC29 is a travesty. For many living in proposed residential High-Density zones, to have all rights of prior notice or ability to question or challenge a six-story building on their boundary, is an abomination. PC29 threatens their quality of life and calls into question the right of elected members to so drastically smash all reasonable expectations of sun-shine, control, enjoyment of amenities and character of their environs. **The potential for harm far outweighs any possible gains of the policy. Any automatic right of Medium-Density or High-density zones in residential areas, prior to a comprehensive definition of 'environment' and 'community' and consultation being applied, is unacceptable. Following the public concern would a majority in council agree?**

9) NCC's Population forecasts and Evidence of Acute Need for Increased Housing Numbers.

Councils need to show an acute need to allow Medium Density zone changes for Tier Two cities. High Density housing for Tier Two cities is never given as a possibility in residential zones. (RMA Amendment (Housing and Other matters) Act 2021). It is unclear to what extent Nelson's surprising inclusion of High-Density zone changes alters this equation of population forecasts / acute housing need. However, The Future Development Strategy, that originally informed the council's PC29, did not include High-Density in Residential zones, and even then, they estimated with the changes that they were recommending would provide capacity for about 25,000 houses over the next 30 years in the combined urban environment. The Population and Household Projections for 2018 – 2048 projected an increase that was gradually slowing to project an increase of 6800 by 2048. As a concerned citizen I cannot see the evidence to justify the radical intensification policy of PC29.

Council commissioned **Market Economics (ME)** to identify the demand and model the residential capacity enabled by PC29 relative to demand. It is noted "Under PC29 provisions (scenario 3), the total capacity amounts to around five to nine times the level of long-term demand. The capacity now enabled under the NRMP is around double that required to meet long-term demand."

It appears the forecasts used by NCC are not Statistics NZ medium projections, and are over-inflated projections that require the scale of intensification to be greater than those of Statistics NZ. During community meetings the council's modelling of population increases has been seriously questioned, with demographic academics showing little confidence in the council's predictions or methods of their modelling. Without the expertise to comment further on this the doubts generated were of such a serious nature that: **If further advise is not forthcoming through the submission process, further evidence needs to be provided. (I've recently been made aware of Dr Geoffrey Hayes submission on population forecasts. I wish to support his submission, and request that his advice is incorporated into a revised version of PC29.)**

The mayor belittles those with knowledge and a genuine concern for the consequences of getting these figures wrong, when he made this official council statement "...these people who

question our population prediction are just avoiding taking the hard decisions". These statements do little to reassure a confused and worried public. **My contention is that to NOT question the data is simply avoiding the most pertinent decision of this hearing, i.e.,** The questions are: *Have we conducted the process as well as we could have, or in a way that fulfills legislative requirements? Does PC29 deliver the high standard and design expertise demanded of intensification or urban design of a quality that Nelson deserves and is capable of providing? If there is doubt of this, we need to forget any previous positions, whether considered entrenched or not, to resubmit the entire proposal or drop it altogether.*

10) Alternative Intensification Solutions

Council has presented their version of sustainable planning change to satisfy housing needs now and into the future. Because the changes included never-before anticipated or expected changes to residential zones, and were formulated without communication or direct consultation with affected residents of the city, the short time to gather information and formulate ideas and alternatives, has created an impossible set of circumstances for challenges and alternatives to be comprehensively mounted or provided. However, there are many possible alternative solutions to PC29 that need to be given time and due process to be fully appreciated by councillors and citizens. The recent meeting, held by concerned citizens and urban design experts at Fairfield House, to discuss possibilities provided a range of alternatives from better land utilisation and provision for secondary minor dwellings, design-led intensified housing that also protected heritage amenities, design standards that upheld street character, soft-landscaping and resident access, and design-led solutions not developer-led solutions.

Designing comprehensive neighbourhood plans will be needed to outline the specific design goals for different areas. Robust consultation, seeking a shared vision, and recognition of the need for a regional urban development agency to provide guidance and oversee developments to bring certainty about future buildings, outlook and privacy. This is where an Urban Development Agency will be a critical part of the solution and would be a pre-requisite and permanent feature of our planning regulations. Only then can issues of intensification, such as recession planes and shading effects; privacy and outlook; hazard zones; on-street carparking; social housing; be refined and finalised.

I support in full the submission from the Historic Society questioning the process and findings of the council's heritage expert's advice. These issues need to be fully addressed in further community consultation.

A Way Forward

Let this PC29 debate provide the spark to incentivise our community to take action and demand better from all involved in the building of our urban environment. We have a wonderful opportunity to make our city an example of what can be achieved when we share a vision and have the leadership and allow urban design expertise to show how intensification can provide for the future with design-led solutions that are socially and environmentally sustainable, as well being creative, innovative and life-affirming.

I propose that the present process requires a postponement, if not to be scrapped altogether, to give the time to conduct comprehensive community consultation. This will require the formation of an Urban Design Agency to provide the advice, the advocacy and over-sight of the process with on-going input into our urban planning processes, and any changes that are proposed. This will include the future need for any development that requires a consent or permitted activity approval to comply with the UDA's vision. We need Nelson to define what acceptable Medium Density developments will look like. All housing density zones proposed by the PC29 will be reviewed. Within the council it is unclear where the power and final decision to formulate planning policy, lies. **As a concerned citizen I wish to know: What was the planners' advices concerning the final proposal, and what is the extent of their influence to exert that opinion, over final decisions that are taken?**

My view would be just one voice in a comprehensive review of the process and community consultation required to move forward. I see the first priority to begin our intensification strategy would be in the CBD, and allowing up to six-stories, with mixed use of existing and new builds, as a permitted activity. The input of our UDA would work to safeguard the historic character of the area. The CBD fringe areas could accommodate developments up to 3 -4 stories, again with UDA assessment.

I recommend the excellent publication, ArchitectureNow's feature on Design critical to NZ housing intensification. (first posted 1st July 2022) NZ architect Rob Guild comments 'NZ severely lacks design governance. The national Policy Statement on Urban Development (NPS-UD), provides some positive steps in promoting higher density around town centres.... However, it fails to focus on design quality of future developments and the level of amenity

human beings need in higher density settings.’ The article provides excellent examples of intensification developments.

All residential housing zones, including green-field developments, could accommodate a range of building typographies, including stand-alone, townhouses and terraced housing. Two stories would be the permitted height, but in all areas, with UDA assessment, considering appropriate location, existing buildings or landscape features, landforms, and amenity values, consideration of multi-story developments could be considered. Shared land and facilities could be incorporated, and in more rural areas cluster developments of smaller houses strategically placed for privacy on larger blocks with the land shared and managed communally, would be an option. New builds in areas threatened with water inundation would be required to be removable.

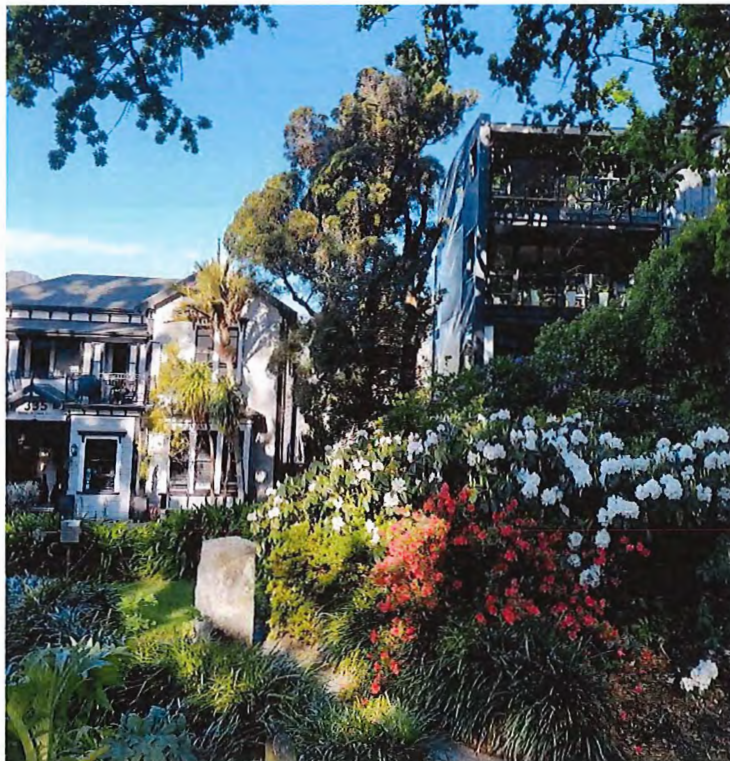
We need a seamless integration of Community Housing Providers and Kāinga Ora developments forming mixed housing complexes with shared open green spaces, cycling and walking tracks with vehicles restricted to the perimeters of buildings, with a UDA over-sight of projects in a transparent and open atmosphere. Residential developments for older citizens have demonstrated the potential for innovation of our housing typographies and ownership structures of our living environment, but what is need is the promotion of a more private/communal ownership model rather than the corporate control model.

We are a diverse society and we need our urban design to reflect this. Social housing and affordable housing needs planning and intervention. We need compact centres interspersed with green areas, pedestrian friendly streets, shared spaces to provide that sense of community and connectedness, also privacy, and for those not in a position to own their own place we need a greater security of tenure. What needs to be said of course is that the political climate of recent times suggests many of the recommendation made here are not supported by the general political tone of returning to even more assistance for developers to avoid controls, greater tax support for property speculators with a corresponding reduction of renter’s rights as far as security of tenure, and so on. It is a view supported by our mayor it seems. (ref. 8, pg.10: **Justification of High-Density developments in Residential Zones**)

Conclusion

The risk of the council's approach to PC29 is losing the trust and confidence of citizens as to the need for intensification. This will hinder taking the necessary steps that we as a city need to make to improve our planning laws and create quality urban design. Our urban environment and our concept of the ideal 'home' are social constructs and can be changed for the good of residents and the environment. We need to encourage the need for intensification, and provide evidence of alternatives and design led solutions. We are at a crucial stage of the process to get the 'climate' right to begin the slow process of change needed to comprehend the imperatives of living with our finite resources while maintaining and enhancing all that makes our city and neighbourhoods so special.

Blunt instruments of allowing multi-story buildings that might fit a few criteria, to appear by chance and at the whim of developers and their investor clientele, is not a solution. Throwing the baby out with the bath water comes to mind. My research, evidence of the past decades and commentary from urban design experts will attest to the fact that the 'market' without clear design guides and qualitative controls to ensure good-quality outcomes, will never adequately supply housing solutions for all.



A Positive Medium-Density example for Nelson's CBD Fringe Zone.

Online submission

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

Submitter No.	S83
Submitter Name	Rob Greenaway
Submitter first name	Rob
Submitter surname	Greenaway
Submitter is contact	Yes
Email	rob@greenaway.co.nz
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
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PC29 submission – Rob Greenaway – 15 September 2023

I am a Nelson resident of 17 years and helped raise our family here. I am a consultant recreation planner and have presented expert evidence nationally at more than 120 resource consent and planning hearings for a wide range of development proposals, including major residential developments and roading and public access projects. I have completed various projects for the Nelson City and Tasman District Councils for reserve management and open space planning. This is a personal submission on PC29.

1. The need to allow for more intensive residential development in urban Nelson is clear.
2. However, PC29 represents a substantial change to the NRMP and is not appropriate in scale and scope considering, for example, the statement in the s32 report (section 1.3) that PC29 is an “interim response while the Whakamahere Whakatū Nelson Plan (Draft Nelson Plan) is on hold, in recognition that housing supply and affordability is a critical issue within Nelson. A full plan review will be progressed once the new legislation, the Natural and Built Environment Act (NBEA) and Spatial Planning Act (SPA) are in place.” I take the term ‘interim’ to refer to Council’s response to housing supply and affordability, rather than the review of other matters in the Draft Nelson Plan, considering the issues I raise in this submission.
3. The PC29 proposed zones are based on those published in the *Nelson Tasman Future Development Strategy 2022-2052* (FDS) (referred to in section 9 of the s32 report). PC29 leapfrogs the intensification process proposed by the FDS, which states (FDS section 15.3):

Within intensification areas, neighbourhood planning is primarily a tool for refining the land use and density patterns and determining the infrastructure needed to support the increased housing and commercial densities proposed. It will explore whether existing open spaces, transport connections, amenities and other infrastructure are fit for purpose, and evaluate whether improvements are needed. Because intensification within existing urban areas occurs slowly over time, neighbourhood planning can happen at the same time, or after, land is zoned for intensification.

The FDS does not include detailed timing for when growth areas will be rolled out over the next 30 years, given the need to be responsive to changing market dynamics. The FDS implementation plan, which is updated annually, will identify and update the staging and roll out of growth areas, in response to market information and feedback, and annual monitoring results. This will inform the Councils’ Long Term Planning processes.

4. I am not aware of any neighbourhood planning being applied as part of, or required by, PC29. I assume that the recommended annual FDS Implementation Plan would guide an incremental and effects-based approach to intensification, but PC29 appears to predate its preparation, and does not refer to it as a tool. I also note that Council’s Long Term Plan is to be reviewed in 2024, potentially after PC29 is decided.
5. In my opinion, the liberal use of permitted and restricted discretionary activity status for many proposed new activities in the proposed Residential zones exists in opposition to the intent of the FDS, particularly its expectation for neighbourhood planning to occur either before or after new intensification zones are identified. The rules proposed for the Residential zones will occur in a community-planning vacuum and likely lead to significant adverse cumulative effects on community amenity. The proposed changes to the Urban

Design chapter in the NRMP, which I discuss later in my submission, appear to weaken Council's role in urban design.

6. Review of the *Regional Policy Statement 1997* (RPS) is a recommendation of the 2022 FDS to ensure "alignment with Councils (sic) strategic regulatory planning documents to inform future plan changes", suggested to be carried out in the 'short term' and to align NCC and TDC approaches (RPS Table 3, p49). This work has not been completed. Review of the RPS was also a strong recommendation of the 2019 FDS, which stated (p33), "Following (or in conjunction with) any change to the Councils' Regional Policy Statements, the Councils may either initiate Resource Management Plan changes or incorporate the FDS into reviews of their respective District Plans. This may be to rezone areas for more intensive development and to provide for the first phase of expansion areas." The 2022 FDS does not refer to the recommendations from the 2019 FDS for review of the RPS in the 2022 FDS 'Implementation' chapter where it describes progress since the 2019 report (section 15.1 *Progress with the 2019 FDS*). The 2022 FDS also moves away from the concept of phased expansion areas referred to in the 2019 version.
7. The RPS is light on providing guidance on urban intensification (section DH1 *Urban Expansion*), with the sole performance indicator DH1.8.1: "The degree to which minimum environmental standards and the protection of significant areas are maintained."
8. Appendix 1B of the s32 report provides an analysis of the alignment between the RPS and PC29 and suggests that the RPS does not require amendment. Considering the lack of reference in Appendix 1B to performance indicators in the RPS, and to the proposed deletion in PC29 of Council's requirement to define "Prominent spaces and places" (DO13A.3.3 – which I discuss below), I disagree. Appendix 1B appears to rely on the RPS's lack of reference to managing intensification as its justification for avoiding its review, rather than identifying that the RPS lacks the guidance that is required. Relying on a lack of guidance in antecedent policy to provide an opportunity for a development proposal is more the style of a consent application than a good method for developing sound long-term planning policy.
9. The s32 report refers to a *Demand and Capacity Analysis* carried out by Market Economics¹ (ME) to identify demand for additional dwellings in Nelson (section 11.2 of the s32 report). This refers to short, medium and long-term demand projections. The ME report (p1) states:

There is a total projected demand for an additional 8,000 dwellings over the long-term (2021-2051), resulting in a total dwelling stock of around 31,800 dwellings. The projections include the required National Policy Statement for Urban Development (NPS-UD) competitiveness margin for the sufficiency assessment, meaning that the actual growth is more likely to be closer to 6,900 additional dwellings (total 2051 dwelling stock of 30,700 dwellings).
10. The shorter-term demand projections are for 500 additional dwellings in Nelson City to 2024 (short term) and 3,000 additional dwellings by 2031 (medium term) (sections 2.3.1 and 2.3.2 of the ME report). PC29 appears to be aiming to provide for demand up to 2051 (the long term), which is inappropriate for an 'interim' plan, and one relying on liberal permitted and restricted discretionary rules, and predating review of the RPS or the implementation of any

¹ Market Economics (2023). *Nelson City Housing Plan Change - Economic Assessment*. S32 report Appendix 1g.

of the necessary neighbourhood or structure planning. At best, PC29 should aim at providing for medium-term demand.

11. Section 11.2. of the s23 report (p43) states:

The [demand and capacity] assessment suggests that the proposed provisions provide a sizeable opportunity for intensification within the existing urban area and do not rely on a high share of take-up to meet future long-term growth. The provisions provide flexibility for intensification within both Nelson's inner suburban areas within more accessible locations, as well as at a lower scale across Nelson's general suburban area.

12. Considering the 'interim' status of PC29, the proposed zone and rule changes need to minimise the potential for adverse effects on existing residences while providing for intensification where it is most appropriate, as opposed to provision "across Nelson's general suburban area" ('lower scale' being a relative term). Applying rule changes to large land units will encourage intensification where it is cheapest, rather than where it is most suitable or has least adverse effect. While affordable housing provision is an appropriate aim, the long-term benefits of good urban design need to be prioritised.
13. PC29 includes changes to the Urban Design chapter of the NRMP. It is not clear to me how these will ensure the objectives of good urban design. They largely tidy references to the use of the NCC Urban Design Panel, and apparently remove Council's role from, for example, defining "Prominent spaces and places" (DO13A.3.3). There is no reference in the s32 report to this latter deletion and so it is unclear what the intent is. However, it appears to further weaken Council's opportunity to implement neighbourhood planning actions. Method DO13A.3.3.v is, however, retained: "Undertake a prominent spaces and places assessment to help to define where particular design sensitivity is required." This appears to be an error considering the proposed deletion in DO13A.3.3. However, as I stated above in reference to the need to review the RPS, considering that the RPS relies on monitoring the 'protection of significant areas' as a method, the proposed deletion in DO13A.3.3 is incompatible.
14. Retained method DO13A.1.1.vi refers to "Implementation of actions in the Nelson City Council Urban Design Action Plan". Retained method DO13A.3.2.v states "Implement actions in the NCC Urban Design Protocol Action Plan". The latter was prepared in 2008 and is well out of date, far-predating the 2019 and 2022 FDS reports.² NCC has confirmed for me that DO13A.1.1.vi refers to the 2008 NCC Urban Design Protocol Action Plan and not some more recent document.³
15. I generally support the proposed changes to the Inner City Zone Objectives and Policies and Rules, considering the objective of developing a vibrant mixed-use setting within an area with limited potential for adverse effects on existing activities.
16. The proposed status for many new activities in the proposed Residential zones is largely either permitted or restricted discretionary. Considering the scale of change proposed by PC29 in this zone – and the lack of comprehensive planning – most, if not all of the proposed restricted discretionary activities should be discretionary to allow more community dialogue about the specific effects of a proposed development. Once the RPS is appropriately reviewed, spatial planning required by the SPA is completed, and Council has carried out the

² <https://www.nelson.govt.nz/assets/Building-Planning/Downloads/urban-design-protocol-action-plan.pdf>

³ Coralie Baker, Senior Planning Advisor, pers. comm. 12.9.23

neighbourhood planning referred to in the 2022 FDS (or has ensured that it is required as part of PC29 prior to new consents being issued), then a more comprehensive plan change can be proposed.

17. My submission is that the proposed changes to the NRMP within the proposed Inner City Zone are accepted, but that the following is considered for the proposed changes to the Residential zones and Urban Design chapter:

- Provision for only medium-term housing demand is the objective during this 'interim' period, but considering likely uptake in the Inner City Zone.
- Permitted development envelopes in the Residential zones are maintained to allow, for example, two-story terrace housing by retaining REr.17J.1, but making the proposed additional permitted height allowances (specifically REr.18J.1, REr.19J.1) discretionary.
- Relevant restricted discretionary rule provisions in the General Residential Zone become discretionary, specifically, for example, REr.17B.3, REr.17J.3, REr.17K.3 and REr.17L.3. This is lower priority element of my submission, but without the necessary antecedent neighbourhood planning, it appears necessary.
- If the Medium and High Density Residential Zones are retained, the proposed permitted and restricted discretionary rules REr.18J.1, REr.18B.3, REr.18C.3, REr.18E.3, REr.18J.3, REr.18K.3, REr.18L.3, REr.18S.3, and the same sequence for REr.19x.x become discretionary.
- Retention of the deleted sentence "Prominent spaces and places should be defined by the Council" in DO13A.3.3.
- The addition of more robust neighbourhood and spatial planning requirements in the Urban Design chapter of the NRMP and the tidying of reference to, for example, the NCC Urban Design Protocol Action Plan and NCC Urban Design Action Plan (DO13A.1.1.vi, DO13A.3.2.v). These may need to be removed or changed to refer to an updated version or a new neighbourhood planning study. This is essential if the proposed additional permitted height allowances in REr.18J.1 and REr.19J.1 remain permitted or restricted discretionary.
- Review and tidy changes and retained components of the Urban Design chapter generally. For example, DO13A.6.1.viii has a proposed change to refer to 'use' of an Urban Design Panel, rather than to 'create' one. DO13A.3.3.ii retains "Create and implement an Urban Design Panel"

18. And finally, apologies for any omissions or misunderstandings in my submission. Time constraints and the complexity of the Plan Change have limited my ability for a more fulsome review.

Ngā mihi maioha

Rob Greenaway

Online submission

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

Submitter No.	S84
Submitter Name	Denis Digges La Touche
Submitter first name	Denis
Submitter middle name	Stephen
Submitter surname	Digges La Touche
Submitter is contact	Yes
Email	la-touche@xtra.co.nz
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	I am totally opposed to the broadbrush approach to intensification in PC29 in Nelson. The idea of six-storey apartments being built in single storey residential areas is plain wrong. And the vision of Nelson residential areas over time becoming a mass of high rises is abhorrent. It's certainly not the Nelson I want to live in. PC29 does not obey the Law of Primacy which says that the existing residents have all the rights, to live here in peace and tranquility. I am not anti-intensification. I am for intensification by design - using design principals which take into account what actually works in each neighbourhood, guarantees respect of existing sunlight/daylight rules, residents' privacy, natural hazards, requires at least 1 on-site car park space for each home unit/ apartment, space for social housing an infrastructure needs.	1. Cancel Plan Change 29 (PC29) and start again, taking into account all of the design principals for creating a city agreeable to its residents and tourist visitors. 2. Failing cancelling PC29 and starting again, have intensification planned using the design principals mentioned below, working with neighbourhood groups to determine where high density intensification actually works within the neighbourhood. 3. Promote the Inner City as the ideal area for multiple high rises, six-storeys plus. They would have all the advantages of being close to the amenities without disturbing the existing residential population.

RMA Submission Form for Publicly Notified Plan Change 29



Return your submission by 4pm on
Tuesday 19 September 2023 to:

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

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

OFFICE USE

Submission No: 5085

Date Received Stamp:

26/10/23.

NDOCs No: 539570224-17696

*Required

Submitter Details

Full Name*	Alison Lesley Oertly		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	alison.oertly@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.

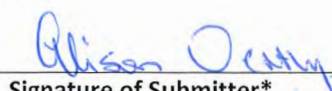
- ☒ I/we **could not** gain an advantage in trade competition through this submission.
- ☐ I/we **could** gain an advantage in trade competition through this submission. *if yes, please complete the following:*
- ☐ I/we **are** directly affected by an effect of the subject matter of this submission that: (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)

26-10-2023
Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

Submission attached

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

Submission to Nelson City Council on Plan Change 29

I agree that Nelson needs to consider how to adapt to the increasing population over the next decades. It is clear that we can no longer continue to build out, taking ever increasing areas of arable land to make way for subdivisions.

With regards to the inner city suburbs, however, I strongly oppose the plan change which would rezone inner city suburbs currently designated 'Residential - Lower Density' to "High Density Residential Zone," allowing for development up to 19.5m (6 storeys) without a council resource consent requirement, and without any neighbour notification required.

The plan changes the current building recession plane requirements and also reduces boundary setback restrictions.

These proposed changes will allow for new development to dominate existing housing, impacting quality of life through reduction of privacy, sunlight loss (especially important during winter) and creating parking issues in some already congested streets, since off-street parking spaces are not required on the newly developed properties.

In the case of the inner city suburbs, which have over a long time created architecturally cohesive communities, the addition of possibly 6-storey apartment blocks would completely detract from the existing cohesion. In the case of lower Shelbourne Street, for example, some of the existing 1-2 storey houses are only meters from one another, already limiting light and sunshine access. A 4-6 storey building would completely exclude these residents from sunlight and privacy.

I would ask Council to consider the following:

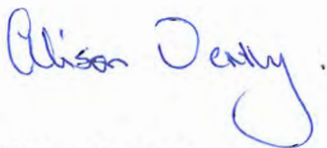
1. That building within the **inner city suburbs** be limited to a maximum of three storeys, with very careful consideration being given to the surrounding character of the area.
2. That buildings higher than 3 storeys be concentrated in the area within the CBD boundaries - broadly, Collingwood Street, Halifax Street, St Vincent Street and Selwyn Place - giving residents in those properties access to all city amenities. The ground floor space could be used for commercial/retail purposes with apartments on the floors above, as is common in many cities overseas.

3. At present there is an over-concentration of commercially-zoned land in the inner city. Existing car yards in Rutherford Street and Halifax/ Collingwood Street, and the empty petrol station in Halifax Street, for example, afford sufficient land area to make a multi-storey development possible. They are in the central city and close to all its amenities, and would have much less impact on existing houses.

The Council might consider rezoning more of the inner city from 'commercial' to 'residential' and 'mixed use' and encouraging commercial entities to develop mixed-use residential buildings. This would help to bring about a much-needed reinvigoration of the central city.

4. Multi-storeyed buildings beyond the inner city suburbs should be built together as an integrated concept in an area large enough to accommodate several high rise buildings. These would ideally include a shared green space/play area/ central shared courtyard to enhance the communal living aspect of the development.
5. Environmental issues need to be carefully considered: the effect of the the flood risk to low-lying areas, land slides, and potential series of overlapping weather events. Council must take these predictions seriously and create appropriate building restrictions.

I want to stress that any future building developments must be well thought-through and planned with Council oversight so as to enhance the overall beauty of our city and not merely to serve the individual interests of developers and investors.



Alison Oertly

26 October 2023

Online submission

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

Submitter No.	S86
Submitter Name	Hazel Thelin
Submitter first name	Hazel
Submitter surname	Thelin
Submitter is contact	Yes
Email	lettucelunch@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	I seek the following decision from council 1) Rear and side yard setback of 1.5m 2) Rear and side yard setback of 1.5m within the areas presently proposed to be rezoned 3) An amendment to ensure that at least one car park is provided for each residential unit in the areas presently proposed to be rezoned 4) That council will prioritise housing growth and intensification within the Inner City before the current residential zones 5. I request that council appoints an independent panel to hear the submissions and gives further notice extending the closing date for submissions as I acknowledge that I have found it difficult to digest the total effect of the proposed plan change 29 and its supporting documentation of over 2000 pages Other comments or concerns I have about plan change 29 1. Areas designated with a natural flood hazard (sea, river, overland flow) with existing residences to have development restrictions however within flood zones with existing residential housing for the daylighting angles to be waived or modified to allow for existing properties finished floor levels to be raised clear of a 1 in 500 year Flood event. Therefore daylighting angles on all boundaries (with existing residences in flood zones) to be waived or modified to allow finished floor levels to clear the 1 in 500 year flood level for Flood hazard zones and for development to allow for strengthening against the hazard. 2. All residential re-zoning to include parking within each allotment's future development planning requirements 3. Any areas re-zoned to have sewerage and stormwater upgrades undertaken prior to re-zoning to accommodate the zoned density development. 4. Changing any residential zone to high density is too profound a change and would seriously affect culture, amenity, annual sunlight penetrating into existing residences, awareness of outside from existing residences, reduce natural daylight penetrating existing residences and provide a higher density of people, lack of privacy within existing residences and creating more congested roading, access and amenity issues, road safety issues, and child safety issues (especially around school zones). I acknowledge that my name and address are required to be made publicly available.	I confirm that I could not obtain an advantage in trade competition though this submission I confirm that I wish to be heard in support of my submission at the council hearing I oppose the Plan Change 29 and in particular the following: a) The creation of a high density residential zone (HDZ) that has a height maximum of greater than 12m as it is not mandated under NPS-UD 2020. b) The loss of existing protection for sunlight to all properties, because it is a critical component of residential amenity in a city as it provides warmth, energy efficiency, an awareness of the natural environment and provides natural light to existing residences. c) The omission of any requirement to provide carparks within any new development. I seek the following decision from council 1) Rear and side yard setback of 1.5m 2) Rear and side yard setback of 1.5m within the areas presently proposed to be rezoned 3) An amendment to ensure that at least one car park is provided for each residential unit in the areas presently proposed to be rezoned 4) That council will prioritise housing growth and intensification within the Inner City before the current residential zones 5) I request that council appoints an independent panel to hear the submissions and gives further notice extending the closing date for submissions I acknowledge that I have found it difficult to digest the total effect of the proposed plan change 29 and its supporting documentation of over 2000 pages Other comments or concerns I have about plan change 29 1. Areas designated with a natural flood hazard (sea, river, overland flow) with existing residences to have development restrictions however within flood zones with existing residential housing for the daylighting angles to be waived or modified to allow for existing properties finished floor levels to be raised clear of a 1 in 500 year Flood event. Therefore daylighting angles on all boundaries (with existing residences in flood zones) to be waived or modified to allow finished floor levels to clear the 1 in 500 year flood level for Flood hazard zones and for development to allow for strengthening against the hazard. 2. All residential re-zoning to include parking within each allotment's future development planning requirements 3. Any areas re-zoned to have sewerage and stormwater upgrades undertaken prior to re-zoning to accommodate the zoned density development. 4. Changing any residential zone to high density is too profound a change and would seriously affect culture, amenity, annual sunlight penetrating into existing residences, awareness of outside from existing residences, reduce natural daylight penetrating existing residences and provide a higher density of people, lack of privacy within existing residences and creating more congested roading, access and amenity issues, road safety issues, and child safety issues (especially around school zones). I acknowledge that my name and address are required to be made publicly available.

Documents included with submission

Document name	NCC Plan change 29 submission H Thelin
File	nccplanchange29submissionhthelin.pdf
Description	

To Senior Planning Administrator RMA Planning Submissions Nelson City Council PO Box 645 Nelson 7040	Submitter Name: Hazel Thelin Address: Telephon Email: lettucelunch@gmail.com
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I confirm that I could not obtain an advantage in trade competition though this submission

I confirm that I wish to be heard in support of my submission at the council hearing

I oppose the Plan Change 29 and in particular the following:

- a) The creation of a high density residential zone (HDZ) that has a height maximum of greater than 12m as it is not mandated under NPS-UD 2020.
- b) The loss of existing protection for sunlight to all properties, because it is a critical component of residential amenity in a city as it provides warmth, energy efficiency, an awareness of the natural environment and provides natural light to existing residences.
- c) The omission of any requirement to provide carparks within any new development.

I seek the following decision from council

- 1) Rear and side yard setback of 1.5m
- 2) Rear and side yard setback of 1.5m within the areas presently proposed to be rezoned
- 3) An amendment to ensure that at least one car park is provided for each residential unit in the areas presently proposed to be rezoned
- 4) 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 further notice extending the closing date for submissions

I acknowledge that I have found it difficult to digest the total effect of the proposed plan change 29 and its supporting documentation of over 2000 pages

Other comments or concerns I have about plan change 29

1. Areas designated with a natural flood hazard (sea, river, overland flow) with existing residences to have development restrictions however within flood zones with existing residential housing for the daylighting angles to be waived or modified to allow for existing properties finished floor levels to be raised clear of a 1 in 500 year Flood event. Therefore daylighting angles on all boundaries (with existing residences in flood zones) to be waived or modified to allow finished floor levels to clear the 1 in 500 year flood level for Flood hazard zones and for development to allow for strengthening against the hazard.
2. All residential re-zoning to include parking within each allotment's future development planning requirements

3. Any areas re-zoned to have sewerage and stormwater upgrades undertaken prior to re-zoning to accommodate the zoned density development.
4. Changing any residential zone to high density is too profound a change and would seriously affect culture, amenity, annual sunlight penetrating into existing residences, awareness of outside from existing residences, reduce natural daylight penetrating existing residences and provide a higher density of people, lack of privacy within existing residences and creating more congested roading, access and amenity issues, road safety issues, and child safety issues (especially around school zones).

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



05/09/2023

SUBMITTER (Hazel Thelin)

DATE

To be delivered to NCC by email to environmental.planning@ncc.govt.nz

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	High Density Re-Zoning within existing residential zones is not required for the numbers of population and population projections in future and from the numbers of people projected in the next 50 years of moving inland from any sea or river inundation areas or from rehousing from instability zones. An Increase in High density zoning and creating high density areas in existing residentially zones areas for this City isolated at the top of the south island is not compatible with residents existing culture and amenity of the existing city and outlying region and is too profound a change for existing residents who have chosen to live or stay living and have invested in housing in this region. High density rezoning is incompatible with the existing infrastructure .	I oppose any high density zoning within existing residential zoned areas in the Nelson Region.

Heritage	Heritage objectives, policies and rules	Support	I support the creation of more heritage areas in order to preserve some residential areas culture, heritage and buildings	I support the creation of more heritage areas in order to preserve some residential areas culture, heritage and buildings
Inner City and City Fringe Zones	City Fringe Zone	Oppose	I oppose high density zoning and development within the city fringe zone. If any rezoning is provided let it be medium density in nature and for setbacks to be increased to 1.5m in order to maintain culture, amenity and daylighting angles for all those affected by any residential areas rezoning within the city fringe.	I oppose all high density zoning and development within the city fringe zone

Natural Hazards/Climate Change	General natural hazards/Climate change	Support in part	Raising finished floor levels within existing residential zone which are mapped as flood or inundation zones to mitigate a 1:500 year flood will be a sustainable change for all residential properties and I support daylight angle waivers and raising of the existing ground above flood heights. I believe a 1:500 year event is the minimum height these residences are required to be raised. I prefer for the raising of FFL to be undertaken with structures that minimise impeding the path of flood waters. For example raising a pile foundation does not impede the flood waters whereas filling to increase ground height can create a structure impeding flooding and can make the matter worse for other adjacent residences or create more sediment and erosion destruction from flooding.	I support the raising of finished floor levels within areas of flood inundation from coastal or river to 1:500 year, and to include within residential zoning. I support development restrictions within flood inundation and instability areas.
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Residential Zones	Medium Density Residential Zone	Support in part	I support in part medium density rezoning of residential areas planned but for this to be undertaken by street and by using each street's natural and built amenity indicators of what is existing as to how it is rezoned. I would prefer two choices for medium density zoning. One medium density option to have a height less than 10m for those residential streets that have existing single story subdivided allotments comprising single storey over 75% of housing. For those residential areas with existing structures at two story or higher for those areas to be rezoned to medium density up to 12m. This then maintains existing residents amenity and culture of each street. It is pretty hard on those residents who have invested wisely, buying allotment and property away from existing flood zones and existing low lying lands near watercourses and away from the coast and have not bought on unstable ground and then to have their wise choice maximised by others and rezoned to an intolerable high density or to have a medium density structure built of 12m in height next to their single story building consented structure built to the existing planning rules. These residents would then be living with less natural light, less natural views and their privacy reduced by onlooking windows, reduction in off street parking and their area to be more congested to live in and services and infrastructure shared to breaking point. That is why two options would create a staged planning approach for all residential zones whereby each medium density intensification of each street in this relatively small city can be assessed, and this can be reviewed in 50 years and further rezoning may be warranted but would be more in keeping with the staged two option medium density approach applied to maintain culture, amenity and respects the fact that most kiwis nest eggs are the home they live in and profound planning changes disrespect residents who have undertaken building works to planning and building rules of the time.	I support in part medium density rezoning of residential areas by street however would prefer two choices for medium density zoning. one medium density option to have a height less than 10m for those residential streets that have existing single story subdivided allotments comprising single storey over 75% of housing. For those residential areas with existing structures at two story or higher of 75% proportion for those areas to be rezoned to medium density up to 12m.
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Online submission

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

Submitter No.	S87
Submitter Name	Jane Horder
Submitter first name	Jane
Submitter middle name	Caroline
Submitter surname	Horder
Submitter is contact	Yes
Email	jhorder58@gmail.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General support	Support	This plan appears to manage increasing population over the next 30yrs with significant research and detail gone in to the options (see section 32 evaluation report). Intensification provides more housing, (with less people pushed onto productive horticultural land), and encourages people living closer to amenities. As long as the plan change protects historic heritage and manages natural hazard risks. I would like to ensure there is a process to allow for more discretion and assessment leading to better design, visual quality, privacy and outlook when new buildings are proposed- plus existing buildings are also given consideration and some daylight protection. I would also like any plan to ensure green spaces are provided, with walking streets and cycle ways. I currently own a (rental) property in the Nelson medium density residential zone.	General support for the Plan change

Documents included with submission

None

Online submission

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

Submitter No.	S88
Submitter Name	Jacquetta Bell
Submitter first name	Jacquetta
Submitter surname	Bell
Submitter is contact	Yes
Email	jacquettabell.nz@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose in part	I support intensification of housing, but this sweeping change which removes the right of neighbours to object to life changing developments goes too far. Moving east from the city, Tasman Street is a more natural boundary for High Density, than Harper St where the boundary is now. Just on parking - Harper St cannot currently cope with residents parking, plus overflow from Te Pukenga (NMIT). Harper St has an earthquake overlay which allows only building on current footprint. It is hard to understand why or how the eastern side of the street is now suggested for three story apartments and the west side for six stories. If the areas where three/six stories were allowed were designated with more regard to sunlight angles and lifestyle, in Harper St for example, higher rise buildings could go at the south end of the street when they would have far less impact. Council must not allow Nelson to be ruined by developers motivated only by profit. We have something precious in this city, and can accomodate more people without jeopardising the Nelson lifestyle. Finally I question the growth paradigm which this plan change caters to. The planet is burning and it is time we ceased seeing growth as good thing.	The decision I seek is: 1. Revision of proposed areas where three & six story apartments would be allowed. 2. Existing regulation on daylight should be retained. 3. Consent process and consultation with neighbours to be retained, at least in a modified form. 4.Implementation of guidelines for apartment blocks that foster community and provide amenities such as play areas, community gardens, shared spaces and facilities.

Documents included with submission

None

Online submission

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

Submitter No.	S89
Submitter Name	Stephen Mazur
Submitter first name	Stephen
Submitter surname	Mazur
Submitter is contact	Yes
Email	kxz71@outlook.com
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	1. These proposed changes are an obscenity to the people of Nelson. The residential nature, feel and open landscape of our community will be stuffed by up to 6 story monstrosities. Our homes and properties include expansive views of the sky and often across the city to the sea. There is a sense of open spaces, sunlight, privacy, etc. The NCC proposed housing changes will effectively stuff hundreds of properties - either those living nearby and in the shadow of the new towers, and also those who have them in their view from further back. They will be an absolute blight on the cityscape. No doubt the developers will have nice, shiny, warm and fuzzy renditions of each tower showing happy families smiling in the sun, lots of trees, bikes, peace and harmony singing kumbaya and eating tofu. They won't show the impending slum of social housing and gangs. .2. Each tower will effectively destroy the quality of life and amenity value of properties living in the shadow and sight of these towers.. NO ONE wants a tower next door, especially when sunlight will be blocked. 3. No doubt NCC will get their spin doctors to create lots of b.s. and waffle around this and make it sound positive, and use phrases like "minor adverse effects" to insult affected adjacent property owners. 4, Some compensation must be paid to affected adjacent owners of properties due to the reduction in their property values. 5. The most suitable place for these eyesores is somewhere where the city is dying - ie: east or west ends of Bridge Street in the CBD. Or the old Masonic property next to the Polytech in Nile st.. Please rezone those for these towers. DO NOT PUT THESE NEXT TO RESIDENTIAL AREAS. .	Cancel the proposed Plan change for both Medium and High Density Residential Zones.

Documents included with submission

None

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

*Required

Submitter Details

Full Name*	Andrew and Margreet Petheram		
Organisation			
Contact Person			
Postal address*			
Telephone*		Email*	andrew.margreet@yahoo.com

OFFICE USE
Submission No: S90
Date Received Stamp: 30/10/2023
NDOCs No: NDOCs-539570224-16840

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.

Andrew and Margreet Petheram

Signature of Submitter*

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

30/10/2023

Date*

RMA Submission Form for Publicly Notified Plan Change 29

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

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

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

My submission is*:

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

We oppose the plan in whole prior to the completion of neighbourhood plans as envisaged in the Future Development Strategy.

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).

We support urban infill in principle but in a planned manner. We believe it is necessary to complete neighbourhood plans prior to proceeding further.

We support the preparation of neighbourhood plans to identify the special character of local areas - topography, views, sunlight, heritage, tree scape, function.

We ask that the Council consults with local communities to identify these features as the next stage of moving towards a plan for managed urban intensification.

We believe it is necessary to provide higher quality neighbourhood spaces - sunny, accessible, green, family friendly, - catering for closer communities with reduced private sections.

We therefore oppose the current proposal in its entirety.

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.

Online submission

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

Submitter No.	S90
Submitter Name	Andrew & Margreet Petheram
Submitter first name	Andrew & Margreet
Submitter surname	Petheram
Submitter is contact	Yes
Email	andrew.margreet@yahoo.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose		Change to general density
Inner City and City Fringe Zones	Inner City Zone	Support		Support
Inner City and City Fringe Zones	City Fringe Zone	Oppose		change to general density
Subdivision	Residential Zones	Support in part		Support three houses on one section but a maximum of two stories

Documents included with submission

None

Online submission

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

Submitter No.	S91
Submitter Name	Caroline Astridge
Submitter first name	Caroline
Submitter surname	Astridge
Submitter is contact	Yes
Email	dingquack@gmail.com
Wish to be heard	No
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose in part	1. This area is populated by large, heritage homes which are irreplaceable due to modern day costs of building and construction. 2. These houses should be protected at all costs in order to retain long term the aesthetic appeal of the area. 3. High rise does not belong in the suburbs. It belongs in industrial areas where neighbours are unaffected, or along major transport routes with good access to public transport. Please consider the impact to existing residents of modern high rise boxes which can go up without consent from any regulatory body.	Please do NOT detrimentally impact the area behind the Cathedral by including high rise buildings which will overshadow neighbours and over populate a gracious and aesthetically appealing landscape which contributes hugely to the appeal of our town.
Entire Plan Change	General opposition	Oppose in part	1. Six stories is very high, and if implemented in isolation from other buildings of a similar size, sticks out on its own like the proverbial.... 2. Six stories will cause a huge detrimental overshadowing impact upon immediate neighbours. 3. People will feel very threatened by the threat of such a large development next door. 4. If these developments are aimed at an aging demographic, is it appropriate to build 6 stories if lifts break down? Is high rise really suitable for the elderly? I suggest townhouses are more suitable. 5. If providing for first home buyers, is it appropriate to destroy the aesthetics of the town to provide for this market? There are plenty of other places for first home buyers, and we don't need to destroy our town for them to find them.	Please reconsider the level of 6 stories for new developments as this is very high for a small town and will dramatically impact the feel and aesthetics of the town.
Entire Plan Change	General opposition	Oppose in part	In Britain in the 1960s they built high rise towers for lower socio economic groups to be housed together. These were deemed a complete failure as they became centres of crime. Today they are being torn down, with their populations interspersed within other communities on a scattered basis. Please consider if you are creating future problems by housing certain socio economic	Consider the social impacts of housing intensification

Heritage	Heritage objectives, policies and rules	Oppose in part	They are irreplaceable and add hugely to the aesthetics of our town.	Please preserve any buildings of a heritage nature as they are irreplaceable and add hugely to the aesthetics of our town.
Entire Plan Change	General opposition	Oppose in part	I am terribly concerned by the "no resource consent" approach of this proposal in view of the size and nature of what is proposed to be allowed.	Please do not allow substantial developments which could have massive impacts on the neighbours and environs to proceed without checks and balances. I am terribly concerned by the "no resource consent" approach of this proposal in view of the size and nature of what is proposed to be allowed.
Entire Plan Change	General opposition	Oppose in part	The current regulations are overly onerous and prevent people from providing housing. For example, the need to fireproof walls if the dwellings are attached. Is this really necessary if there are multiple and good means of egress from the building? The removal of other red tape could open up the market to locals providing extra housing - surely this is a better alternative to destroying our town with uncontrolled and very large developments?	Please consider as an alternative allowing easier subdivisions for such as granny flats

Documents included with submission

None

Online submission

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

Submitter No.	S92
Submitter Name	Paul Nicholson
Submitter first name	Paul
Submitter middle name	Ewing
Submitter surname	Nicholson
Submitter is contact	Yes
Email	pauln8754@gmail.com
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	Medium Density Residential Zone	Amend	Any buildings taller than 8m would detrimentally impact the character of all our medium density neighbourhoods as well as severely reducing the sunlight available to residences in the zone People are like plants - they need sunlight to thrive!	Limit apartment buildings to no more than three (3) two-story units with a total height of 8m.
Entire Plan Change	General opposition	Oppose in part	Reasonable design standards are necessary to ensure that inappropriate, out-of-scale buildings are not constructed in residential areas.	Form a Design Standards Commission to create reasonable and realistic design standards and to monitor projects to ensure that they all meet those standards.

Entire Plan Change	The Plan Change process	Oppose in part	Three panel members is too few to ensure submissions are fairly reviewed, especially when two of the three members have already voted to continue with the Plan as is. The perception of fairness is essential if the ultimate Plan is to be embraced by the general citizenship of Nelson.	Increase the size of the Submissions Review Panel from three (3) to five (5), and include two independent informed/knowledgeable citizens who live outside the areas impacted by the zone changes.
Residential Zones	High Density Residential Zone	Amend	In a residential area, any building that is greater than 15m in height would be out of scale and have an adverse affect on the quality of adjoining residences. In addition, research shows that as apartment building increase in height, there is a proportionate increase in depression, isolation, crime, anti-social behaviour and sleep problems, along with a loss in "community."	Limit apartment buildings in the HDZ to four (4) stories and 15m in height.
Entire Plan Change	General opposition	Oppose in part	It is only fair to a neighbourhood to give property owners the right to know what changes are proposed in a project after resource consent has been given.	Require developers who seek to increase the number of units in a project beyond the base requirements of the Plan, to notify neighbours of their intent; provide a process for objections and review when an expansion of the number of units is sought after resource consent approval.
Residential Zones	High Density Residential Zone	Oppose in part	Placing six story apartment buildings in an existing residential area would dramatically destroy the character and liveability of some of our landmark areas.	Review the areas included in the High Density Zone with a focus on removing those where there is existing residential housing; transfer the following areas to the Medium Density Zone: Domett Street, Hardy Street (East of Tasman Street). Tasman Street (from Hardy to Manuka Streets), Alton Street.
Entire Plan Change	General opposition	Oppose in part	Simply building more housing units will not help to make those units affordable.	Provide incentives to developers to encourage them to include a certain percentage of affordable housing units in their projects.

Residential Zones	Medium Density Residential Zone	Amend	REr.18B.4 b (i) specifies that the approval process must "optimise sunlight access." A 60 degree plane will never accomplish such optimisation.	Reduce the proposed Recession Plane from 60 degrees to 25 degrees.
Entire Plan Change	General opposition	Oppose in part	Among the 10 New Zealand cities that have population between 70,000 and 43,000, Nelson is below the median in population density as well as the number of people on the Housing Register. Perhaps the "crisis" that has informed this extreme plan change is overstated and not based on a realistic assessment of our population needs over the next 25 years. A document outlining the above information is attached.	Carry out a rigorous review of the process by which the 25 year population projections have been developed, and publish findings; adjust population projections as appropriate.
Residential Zones	Medium Density Residential Zone	Oppose in part	People and plants need sunlight to thrive, and Nelson is the place to which people have moved to get the most amount of sun.	Retain the current stipulation that every residential property has the right to a minimum of two (2) hours of sunlight at mid-winter, and ensure that new developments cannot erode that right.
Residential Zones	Medium Density Residential Zone	Amend	Setbacks of less than 1.5 metres would lead to a sense of overcrowding and the loss of essential sunlight.	Rear and Side yard setbacks should be no less than 1.5 metres.
Entire Plan Change	General opposition	Amend	Nelson's residential zones are an essential part of the character and soul of the city. Placement of large 3 to 6 story apartment buildings in the residential areas will forever damage and even destroy what makes Nelson special.	Amend the Plan to specify that the Council will prioritise housing growth and intensification within the inner City before the current residential zones.
Entire Plan Change	General opposition	Oppose in part	Existing residents have invested, both financially and emotionally, in our city. Those investments need to be protected.	Amend the Plan to recognise the rights of existing property owners in terms of access to sunlight and to preserve the character of our city.

Entire Plan Change	The Plan Change process	Oppose in part	A broad-brush, one-size-fits-all approach is bound to lead to disappointing results.	Undertake a process that reworks the PC29 process to enable each community to have the opportunity to weigh in on what it sees as its future regarding form and location of new buildings, topography, open space, play areas, traffic flow etc. In other words, design and implement a series of comprehensive neighbourhood plans before developing the rules and assessment criteria that would enable that vision to become a reality.
Entire Plan Change	The Plan Change process	Oppose in part	As a community, we need to work collectively with our Council and planners to robustly design the Nelson of the Future, not allow individual developers do it for us.	Institute a design-led approach (instead of the proposed developer-led one) to ensure there are good-quality design outcomes.
Entire Plan Change	The Plan Change process	Amend	A great deal of work has gone into creating PC29. But the process was flawed. As a result, the Plan is flawed, and does not take into account the needs and hopes of our current residents.	Step back and have the guts to build a revised Plan process that creates new spatial neighbourhood plans for all medium and high density zones.

Documents included with submission

Document name Population and Housing Register Analysis

File [pc29populationandhousingregisteranalysis.docx](#)

Description Analyses and compares population density and housing register information for 10 mid-level New Zealand cities

Population and Housing Register Analysis

PC 29

	Population	# on Housing Register		Highest #		Population Density
		June '23	June '18			
Napier	67,000	687	246	801	Mar 22	637
Porirua	60,000	366	237	405	Mar 22	987
Rotorua	58,000	900	165	1,104	Mar 22	1,203
New Plymouth	58,000	393	87	447	Mar 22	775
Whangarei	55,000	552	183	708	Dec 21	962
Nelson	51,000	282	111	294	Mar 22	935
Hastings	50,000	684	249	804	Mar 22	2,064
Invercargill	50,000	219	60	219	Jun 23	820
Upper Hutt	45,000	204	75	225	Jun 22	875
Whanganui	42,000	327	87	384	Jun 22	1,056
Average	53,600	461	150	539		1,031
Median	53,000	380	138	426		949

October 23, 2023

Online submission

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

Submitter No.	S93
Submitter Name	Carol McIntosh
Submitter first name	Carol
Submitter middle name	Ann
Submitter surname	McIntosh
Submitter is contact	Yes
Email	macbomer39@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	I submit that to Nelson should not incorporate these changes to density standards into the NRMP. These standards were created by Central Govt to address density problems in our major tier one cities, principally in Auckland. Nelson being a tier two Local Authority is not required to implement these changes. I submit that it is a flawed proposal to adopt these plan changes as an interim response to solve housing affordability and supply in our area. I also note that Christchurch being a teir one city has rejected these plan changes as they do not consider that they are fit for purpose in their city. I also note that if there is a change in government that this Act may be reversed. These density standards are not suited to the Nelson region. The Nelson Council Section 32 Evaluation report on these proposed changes notes that the future demographics of Nelson indicate that the highest growing population group is likely to be those aged 65 plus and that other age groups are on the decline. The proposed high density high rise housing in the inner city I submit would not be attractive to the 65+ age group. The lack of car parking would not suit this age group who will want to travel to visit the local attractions and to visit friends and family. This demographic are also most likely to spend more of their time at home and so the lack of daylight and sunshine would be detrimental to them. Similarly High density housing with no parking, little recreational area and limited daylight and sunshine hours is also not conducive to young families. The assumption that high density housing equates to affordability I believe is an unproven concept and we have not been presented with evidence that such housing will result in more affordable properties. There is also the obvious cost to existing properties who would be severely disadvantaged by a high rise being erected next to their properties. The proposed plan changes would give these property owners no right of redress. There is the real possibility I believe that if multi stored residential units were built, that they would be used a Air B & Bs and other short term rentals as has been seen in other towns. In relation to the plan changes for the general housing zones which would allow more buildings, built higher and closer to boundaries, I submit that this would decrease the amenity values both to those currently living in these areas and would make these areas less attractive for people to move into. As in the inner city zones, daylight and sunshine are crucial for keeping houses warm, dry and more affordable to heat. The increased shading from increased density would impact this. The proposal to allow for smaller sections would also impact on residents being able to garden and grow their own food, both of which are important contributors to general health and well being. I note that gardening is regularly listed as our number one form of exercise. I submit that it is important that the community and affected parties continue to have a say so that we develop housing that are suited to our needs. An example of the importance of this can be seen in recent community feedback on a proposed social housing complex in Keri Keri. After feedback from the community that the proposed multi story complex would be unsuitable for families, the complex has been redesigned so that they are limited to 2 stories with more outdoor areas, increased sunlight and parking provided for the residents. This feedback and the resultant changes woould not be possible under the proposed plan change 29 Thankyou for the opportunity to submit	That the Council rejects plan change 29 to the NRMP

Documents included with submission

None

Online submission

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

Submitter No.	S94
Submitter Name	William Rush
Submitter first name	William
Submitter middle name	Michael
Submitter surname	Rush
Submitter is contact	Yes
Email	rush.tasman@xtra.co.nz
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose in part	The plan 29 that has been presented will have too severe an impact on daylight angles of existing houses in the suggested zones	

Submission to Plan Change 29

- I support PC29 allowing up to 3 storey houses (11m) in the Medium Density Residential Zone but with exceptions listed below.
- I think the proposed Daylight admission rules will have a detrimental effect on some neighbouring houses and I think this rule should be amended for rear and side boundaries so that it is the same as the General Residential Zone (i.e., 3m + 45°).
- As a Tier 2 local authority, Nelson City Council is not required under the National Policy Statement on Urban Development to enable development of any particular height/number of storeys. It is not clear why the proposed height of 19.5m has been chosen for the new High Density Residential Zone.
- I would propose that the decision to zone HRZ should be delayed until

§ 1. There is a clear requirement for further intensification.

§ 2. This will allow for work to be done to ascertain where higher density housing can be allowed and still leave existing houses with a reasonable outlook and minimum shading, particularly in winter time.

- The colours chosen to show the Residential zones in the PC29 maps are very similar and it is difficult to see the difference between the High and Medium Density Residential zones:

○ I seek that the colours are changed in the plan change maps to make it easier for plan users to determine which zones apply where.

- The proposed High Density Residential zone is too tall, particularly given that the site sizes in the area it has been applied are generally small. Given the range of rules that apply in the zones, it will be difficult for development to occur up to the maximum building height on a small site unless a development breaches many of the other rules. The Council should consider only applying the High Density Residential Zone where sites are larger and/or adding a rule to the plan to encourage or incentivise

Documents included with submission

Document name	Plan 29 change
File	emmatoplanchange292.docx
Description	

amalgamation of sites as this will lead to better quality high density development.

· In to the future, I think that there should be an effort to identify new subdivision areas where they could be designed to have taller buildings on larger sections where there are sufficient spacings so that daylight angles do not have a limited detrimental effect on neighbouring properties. The proposed subdivision up the Maitai could be in this category.

· Some of the rules in the High Density Residential Zone are too severe and will impact too much on neighbours, particularly where tall buildings are built on small sections. Consideration should be given to matters such as solar panels for renewable energy, where taller properties are allowed with limited Daylight admission rules, any panels that have been installed on existing properties could be severely affected.

· I propose the following changes to the rules:

○ Maximum building height (HRZ) should be 14m (4 storeys).

○ The Daylight admission rule (HRZ) should be $4m + 45^\circ$.

○ Side and rear yards (HRZ) should at least 2m (not 1m as proposed).

· The increase in height does not seem commensurate to the amount of units that are permitted in the High Density Residential zone – if a height of 19.5m (as proposed in Rule REr.19J) is permitted, it would make sense to enable more than three residential units to be permitted as long as they meet the other permitted conditions in the Rule table. If Council is going to enable greater height that will likely cause a big difference to the character and amenity of the residential neighbourhoods where the High Density Residential Zone is proposed, then it should make it worthwhile i.e., enabling only three units as a permitted activity will not in my view encourage developers to consider options for building higher-density developments.

Submission to Plan Change 29

- I support PC29 allowing up to 3 storey houses (11m) in the Medium Density Residential Zone but with exceptions listed below.
- I think the proposed Daylight admission rules will have a detrimental effect on some neighbouring houses and I think this rule should be amended for rear and side boundaries so that it is the same as the General Residential Zone (i.e., 3m + 45°).
- As a Tier 2 local authority, Nelson City Council is not required under the National Policy Statement on Urban Development to enable development of any particular height/number of storeys. It is not clear why the proposed height of 19.5m has been chosen for the new High Density Residential Zone.
- I would propose that the decision to zone HRZ should be delayed until
 - 1. There is a clear requirement for further intensification.
 - 2. This will allow for work to be done to ascertain where higher density housing can be allowed and still leave existing houses with a reasonable outlook and minimum shading, particularly in winter time.
- The colours chosen to show the Residential zones in the PC29 maps are very similar and it is difficult to see the difference between the High and Medium Density Residential zones:
 - I seek that the colours are changed in the plan change maps to make it easier for plan users to determine which zones apply where.
- The proposed High Density Residential zone is too tall, particularly given that the site sizes in the area it has been applied are generally small. Given the range of rules that apply in the zones, it will be difficult for development to occur up to the maximum building height on a small site unless a development breaches many of the other rules. The Council should consider only applying the High Density Residential Zone where sites are larger and/or adding a rule to the plan to encourage or incentivise amalgamation of sites as this will lead to better quality high density development.
- In to the future, I think that there should be an effort to identify new subdivision areas where they could be designed to have taller buildings on larger sections where there are sufficient spacings so that daylight angles do not have a limited detrimental effect on neighbouring properties. The proposed subdivision up the Maitai could be in this category.
- Some of the rules in the High Density Residential Zone are too severe and will impact too much on neighbours, particularly where tall buildings are built on small sections. Consideration should be given to matters such as solar panels for renewable energy, where taller properties are allowed with limited Daylight admission rules, any panels that have been installed on existing properties could be severely affected.
- I propose the following changes to the rules:
 - Maximum building height (HRZ) should be 14m (4 storeys).
 - The Daylight admission rule (HRZ) should be 4m + 45°.
 - Side and rear yards (HRZ) should at least 2m (not 1m as proposed).
- The increase in height does not seem commensurate to the amount of units that are permitted in the High Density Residential zone – if a height of 19.5m (as proposed in Rule REr.19J) is permitted, it would make sense to enable more than three residential units to be permitted as long as they meet the other permitted conditions in the Rule table. If Council is going to enable greater height that will likely cause a big difference to the character and amenity of the residential neighbourhoods where the High Density Residential Zone is proposed, then it should make it worthwhile i.e., enabling only three

units as a permitted activity will not in my view encourage developers to consider options for building higher-density developments.

Online submission

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

Submitter No.	S95
Submitter Name	Hannes Hille
Submitter first name	Hannes
Submitter middle name	Till
Submitter surname	Hille
Submitter is contact	Yes
Email	hanneshdc@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Support	As a young renter in Nelson, I value being able to live close to my workplace in the city centre, and be able to bike to work. With Nelson's increasing population, I worry that I won't be able to do this affordably if we don't increase housing density in the city centre.	I'd like the plan to be approved.

Documents included with submission

None

Online submission

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

Submitter No.	S96
Submitter Name	Esther McNaughton
Submitter first name	Esther
Submitter middle name	Helen
Submitter surname	McNaughton
Submitter is contact	Yes
Email	esther.mcnaughton@gmail.com
Wish to be heard	Yes
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
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Entire Plan Change	General opposition	Oppose	I am opposed to the Proposed Plan Change 29 because of the extreme and detrimental effects I believe it will have on existing residential neighborhoods and because I have not seen evidence that this amount of new housing is needed. While I agree that intensification can be a positive strategy with many benefits, the Proposed Plan Change 29 seems ad hoc, and does not have enough checks to ensure that the developments which occur will be beneficial to our city. The plan must meet the needs of the current residents and this plan change will harm the well being of these residents in many ways such as the loss of sunlight, privacy, views, the ability to grow one's own food (since crops can't grow without sunlight). Additionally the plan change does not address parking or noise issues which will no doubt arise from such intensification. Most specifically the Proposed Plan Change 29 will harm heritage areas. I live in Synagogue Lane, a heritage area adjacent to South St and Nile St West. On this plan change our area has been designated high intensity. I believe that six storied buildings in this area would destroy the historic nature of our area. Part of the historic feel of the area is the sight of the cathedral and Church Hill from this area and I most particularly feel that medium and high density residential zoning are inappropriate in my historical area. If the Proposed Plan Change 29 goes ahead our area should be redesignated a General Residential Zone. More broadly, the Victorian feel of Nelson's CBD and the area behind the cathedral is part of the longstanding attraction of Nelson to visitors. This is the Nelson that many people know and love, and the intensification plan presented threatens this through its lack of controls. Among other things, this will be detrimental to the revenue provided by tourism in our region.	Proposed plan change 29 is abandoned in favour of a staged approach to intensification which is established initially in areas which do not impact on current residential homes, such as the car parks in the centre of the Nelson CBD, or light industrial/ business properties in central Nelson which could be relocated to a more appropriate setting. Most specifically, if Proposed Plan Change 29 goes ahead, the area west of Church Hill comprising Synagogue Lane, South St and Nile St West should be redesignated as a General Residential Zone as the historical character of the area would be destroyed by the buildings allowed in the medium and high density zones.
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S97

Voided

Online submission

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

Submitter No.	S98
Submitter Name	Diane Raabe
Submitter first name	Diane
Submitter middle name	Elizabeth
Submitter surname	Raabe
Submitter is contact	Yes
Email	dianeeraabe@yahoo.co.nz
Wish to be heard	No
Joint presentation	No
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	Medium Density Residential Zone	Oppose	Plan 29 to environmentally damaging and has not respect for the existing residential housing and green spaces.	I strongly object to plan 29 as Nelson is a low-density city with sunlight and a great standard of living. Why would anyone want to destroy this and bastardize one of the few remaining cities that offer a great life style and good environmental conditions. Intensive building is very environmentally damaging and offers no good quality of life. Please stop stealing our sunshine and our way of life just to benefit developers and greed. There is no infrastructure to support this mad decision, especially not in the Tahunanui Hills, no public transport, no access to shops or doctors surgeries etc. I will sell up and leave if this plan goes ahead.

Documents included with submission

None

Online submission

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

Submitter No.	S99
Submitter Name	Wes Dayton
Submitter first name	Wes
Submitter surname	Dayton
Submitter is contact	Yes
Email	wesdayton29aus@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Entire Plan Change	General opposition	Oppose	I believe that the council has clearly "put the cart before the horse" by issuing a series of building rules without providing a "design" that will be used to take Nelson into the future. Without an overall design to guide developers regarding whether they were building residencies, offices, shop or whatever, the inevitable result will be a hotchpotch of buildings without any coherence, let alone attraction. Contrast this with something like the Wellington Waterfront, where an overall design was established before any new development took place. In my opinion, that example has proven a great success. I fear that Nelson's lack of any real vision before allowing this new direction for developers will miss a great opportunity to turn Nelson into a South Island centre attractive to a wide range of people and interests.	To abandon the plan change, or at least delay it until there is a clear design developed for the area to be changed.

Natural Hazards/Climate Change	Coast inundation	Amend	Currently, Plan Change 29 makes no changes to the current rules in place for The Wood. In the frequently asked questions section of the council's website, the question regarding why this so is answered by stating, "... due to risk from current and future natural hazards.". Further, when questioned about this response at a plan meeting, Mayor Nick Smith responded by saying that the New Zealand national government was taking responsibility for protection against climate change dangers such as those facing The Wood. Clearly, the fact that The Wood is not included in Plan Change 29 indicates that the council does not have confidence that the national government will fulfill this promise. It leaves the residents not knowing if, given the national government's failure to protect The Wood, means that the council then plans to simply "write off" the area? Or, if the government does provide some inundation protection, that then there will be a "Plan Change 30"? Clarification is required.	Clarify direction planned specifically for the area known as The Wood
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Online submission

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

Submitter No.	S100
Submitter Name	Johann Voigtlander
Submitter first name	Johann
Submitter middle name	Theodor
Submitter surname	Voigtlander
Submitter is contact	Yes
Email	jtvbrd@gmail.com
Wish to be heard	Yes
Joint presentation	Yes
Trade competition	I could not gain an advantage in trade competition through this submission.
Directly affected	N/A
Withhold contact details?	No

Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Residential Zones	High Density Residential Zone	Oppose	see above writing	I am a young professional with a master's degree in electrical engineering. I have lived in Nelson for over 10 years. I have a fantastic job that I love with a 'sunshine' wage and I live with my mom and sister. Without that support, I would be living paycheck to paycheck with zero chance of ever being a homeowner in NZ - I am greatly considering moving overseas for a better financial future. The site on Examiner Street that Kainga Ora plans to put a 6-story, 71 unit apartment which will be filled with losers on the DOL has already destroyed our property value and will greatly diminish our wonderful little neighborhood. I am scared shitless these bastards will start breaking into our home to steal anything they can so they can buy meth. Oh, and by the way the girl's college is right across the street! Not to mention the eye sore and neighbors south of that site who will suffer from vitamin D deficiency.

Nelson has always been a little town and I love it the way it is. The council should have SLOWLY been pushing a plan 29 for the last 50 years, slowly putting in 2-3 story apartments up, not all at once.

Being an engineer, my belief is that 3D printed housing technology in 10-20 years' time will drastically reduce the building cost of a home. I would like to see Nelson take the lead in these technologies, bulldoze old homes, and replace them with insulated double-glazed new homes for a fraction of the cost of a traditionally built wood-framed house. This will make it so homes become affordable again and maybe I can have a future here.

If anyone actually read this, cheers. please look into alternatives.

Documents included with submission

None