
REPORT R27805

Notification of Plan Change 29

1. Purpose of Report

- 1.1 To seek Council's approval to publicly notify Proposed Plan Change 29 (PC29) to the Operative Nelson Resource Management Plan 2004 (NRMP) under clause 5 of Schedule 1 of the Resource Management Act 1991 (RMA).

2. Summary

- 2.1 Following a Council decision in 2021 to put on hold a review of all operative resource management plans via the Whakamahere Whakatu Nelson Plan (WWNP), the Council directed that work should continue towards providing for a housing plan change to the Nelson Resource Management Plan (NRMP), known as Plan Change 29 (PC29). The decision to pause a whole-plan review was made pending the outcome of the reform of the Resource Management Act (RMA).
- 2.2 The necessary analysis, development, pre-consultation, and final drafting of PC29 has been completed. Public notification of PC29 will allow those interested to submit either in support or request changes.
- 2.3 PC29 proposes to amend the NRMP to:
- 2.3.1 Enable more housing choice and opportunity in existing urban areas of Nelson that are in close proximity to services, amenities, and places of employment;
 - 2.3.2 Implement the intensification and capacity requirements (Policies 2 and 5) of the National Policy Statement on Urban Development 2020 (NPSUD);
 - 2.3.3 Manage new development of land, including intensification, in areas susceptible to natural hazards and to update built heritage provisions;
 - 2.3.4 Provide for tangata whenua to develop papakāinga;

Item 8: Notification of Plan Change 29

- 2.3.5 Assist in implementing the intensification scenario identified in the 2022 Nelson Tasman Future Development Strategy (NTFDS) and the Te Ara ō Whakatū - City Centre Spatial Plan.

3. Recommendation

That the Council

- 1. Receives the report Notification of Plan Change 29 (R27805) and its attachment (539570224-14803); and***
- 2. Agrees to proceed with Plan Change 29 subject to the correction of any minor errors that the Chief Executive considers necessary for the purpose of clarity and technical correctness; and***
- 3. Endorses the content of the Section 32 Evaluation Report (539570224-14803) for Plan Change 29 subject to the correction of any minor errors the Chief Executive considers necessary for the purpose of clarity and technical correctness; and***
- 4. Approves public notification of Proposed Plan Change 29 in accordance with Clause 5 of Schedule 1 to occur on 11 August 2023; and***
- 5. Notes that at its meeting on 4 May 2023 Council agreed that Plan Change 31 would be notified alongside Plan Change 29; and***
- 6. Agrees that the date for the close of submissions on Plan Change 29 and 31 is 27 working days after public notification which would be on 19 September 2023; and***
- 7. Agrees to establish a mixed, three-person hearings panel comprising an Independent Chair, Deputy Mayor O'Neill-Stephens and Councillor Brand to hear and recommend on submissions received in relation to Plan Changes 29 and 31.***

4. Introduction

- 4.1 The primary objective of proposed PC29 is to respond to housing issues associated with growth and demand pressures by providing more enabling, contemporary, and 'fit for purpose' planning provisions in the NRMP, and to fulfil Council's obligations under the NPSUD.
- 4.2 Proposed PC29 also ensures that Council's obligations under Section 6 'matters of national importance' are met in relation to the update of built heritage and natural hazards provisions.

5. Overview

- 5.1 Proposed PC29 is a substantial plan change. Content is underpinned by an extensive body of work including technical information that has been further refined by a process of community, stakeholder, and iwi engagement, as well as Council direction.
- 5.2 This report provides a high-level overview of PC29 and the process that has shaped it:
 - 5.2.1 The background section outlines the process that was followed to develop provisions, including Council direction and key milestones. It also summarises how PC29 will meet legal obligations under the RMA and national direction.
 - 5.2.2 The Scope/Extent section outlines the content of PC29. It sets out the scope of changes and provides a summary of amendments to NRMP chapters. The amendments are organised by topic e.g., Natural hazards – river flood.
- 5.3 Proposed PC29 itself and formal supporting documentation include:
 - 5.3.1 Proposed chapter amendments identified as tracked changes to the ePlan version of the plan change (there is no hard copy of the plan change).
 - 5.3.2 Proposed changes to zones and overlays (spatial information) are provided for within the ePlan.
 - 5.3.3 Detailed analysis of those changes, including reasons for them and their efficiency, effectiveness, costs, benefits, and risks, is set out in the Section 32 report (Attachment 1).
- 5.4 Subject to Council approval, these three components comprise the package of documents that will be publicly notified. The notified proposed PC29 maps and text will be in ePlan format, consistent with the direction promoted in the National Planning Standards. There is no hard copy version and access is via <https://nelson.isoplan.co.nz/operative>.
- 5.5 The use of the ePlan format is a new development for Nelson City Council. While it was used for the draft Nelson Plan, this will be the first publicly notified planning instrument it is applied to. There will be clear instructions and guidance available on the use of this format at <https://shape.nelson.govt.nz/plan-change-29>.

6. Background and process to date

- 6.1 Nelson's RMA Plans include the Nelson Resource Management Plan (NRMP) which incorporate the District Plan, Regional Plan, and Regional Coastal Plan, the Nelson Air Quality Plan and Regional Policy Statement. The resource management plans set out how Council can manage the growth, development, and protection of our built and natural environment.

Item 8: Notification of Plan Change 29

- 6.2 Between 2013 and 2021 Council undertook a full review of all plans developed under the RMA with an aim of integrating the Plans into one document, the Whakamahere Whakatū Nelson Plan (WWNP). Draft versions of the WWNP were released for public feedback in 2020 and 2021.
- 6.3 In November 2021, Council paused the release of the WWNP, primarily due to resource management reform implications for the development of plans. The new legislation will require significant changes to plans, and it will be more efficient to complete the full review process under the new legislation.
- 6.4 Following this 2021 decision, officers were directed to prepare a housing plan change to the operative NRMP - Plan Change 29 (PC29). The aim of PC29 is to address growth and demand pressures on housing by providing more enabling and flexible housing opportunities within existing urban areas. PC29 will also enable Council to fulfil its obligations under the National Policy Statement for Urban Development 2020 (NPSUD), especially in relation to providing for intensification options.
- 6.5 The process of developing PC29 did not involve starting from scratch. It carried forward much of the housing, heritage, and hazards related work already completed under the WWNP programme. It also implements directions from the Nelson Tasman Future Development Strategy 2022 – 2052 (NTFDS).
- 6.6 Key process steps that led to the development of PC29 are set out in Table 1. References to key documents showing elected members guidance, direction, and decisions to officers are provided for ease of reference.

Table 1 - Key process steps of the development of PC29

Milestone	Description
WWNP public consultation – mid-late 2020	<p>The draft WWNP was released for stakeholder, iwi and general public consultation. Feedback across all topics including housing provisions was presented to elected members in early 2021.</p> <p>A summary of all feedback to the draft WWNP was reported to Council at the 17 February 2023 Councillor Workshop.</p>
WWNP paused, HPC initiated – November 2021	<p>Officers were instructed by Council to pause the WWNP process and develop a housing plan change to the operative NRMP, the Housing Plan Change or PC29.</p> <p>The decision to pause the draft WWNP is set out in the 4 November 2021</p>

Item 8: Notification of Plan Change 29

	Environment and Planning Committee minutes. The initial direction for scope of a housing plan change was provided at a 30 November 2021 Councillor Workshop.
PC29 scope and extent confirmed – April 2022	<p>A preliminary draft of PC29 based on WWNP content was presented to Council. Officers sought direction from elected members on heritage and natural hazards.</p> <p>Guidance for the scope and extent of PC29 amendments was provided to officers at the 7 April 2022 Councillor Workshop.</p>
Preferred planning pathway determined – May 2022	<p>Officers sought direction from Council on the preferred RMA process planning pathway, confirming the use of the standard First Schedule of the RMA for processing PC29 following public notification.</p> <p>At this Council meeting, officers were also directed to present further information at a future workshop on climate change approaches of PC29 and an assessment of a perimeter block development, an alternative housing form (as presented by community action group Nelson Tasman 2050).</p> <p>The above directions of Council were made at the 19 May 2022 Council Meeting.</p>
NTFDS directions confirmed – August 2022 Workshop	<p>Council directed officers to implement NTFDS heights and densities into PC29, including a High Density Residential Zone.</p> <p>At this workshop, the climate change approach of PC29 and an analysis of 'perimeter block development' was presented to Council.</p> <p>Workshop directions addressing the above were provided to Officers at the 17 August 2022 Councillor Workshop.</p>
Nelson Tasman Future Development Strategy 2022 – 2052 (NTFDS) adopted – August 2022	The NTFDS was formally adopted by the Council at the 29 August 2022 Joint Committee of Nelson and Tasman Councils. Development of the NTFDS included public, stakeholder, and iwi engagement and formal statutory consultation.
Draft PC29 approved for formal statutory	At a council workshop on 13 September officers sought direction to release PC29

Item 8: Notification of Plan Change 29

consultation – September 2022	for formal statutory consultation with stakeholders and iwi partners.
Formal statutory consultation period November 2022 – January 2023	Formal consultation under Section 3(1) of the First Schedule of the RMA. Draft PC29 was released to iwi partners, government ministries and key stakeholders for feedback.
Consultation feedback presented, and sea level rise and public engagement direction sought – February 2023	Draft PC29 was presented to the new term of Council, including an overview of consultation feedback. At this meeting, Council direction on housing approaches in relation to coastal flood and sea level rise was given. Officers were directed to implement Ministry for the Environment interim guidance on the use of new sea-level rise projections in relation to identifying the boundary extent of intensification benefits. Council directed officers to prepare PC29 for public notification in mid-2023.
ePlan introduction and overview – July 2023	At a Council workshop on 20 July, officers provided Council with an introduction and overview of ePlan and the Plan Change content and process.

7. Consultation to date

- 7.1 Proposed PC29 has been shaped by public, stakeholder, and iwi partner involvement, and both formal statutory consultation and non-statutory engagement have been part of this process.

Public engagement

- 7.2 Extensive public engagement was completed from October 2020 to August 2021 for the draft WWNP, as the content relating to housing, hazards and built heritage was carried forward into PC29, officers have not re-consulted with the community prior to notification.
- 7.3 Council also engaged with the community on the development of the Nelson Tasman Future development strategy (NTFDS). Consultation with the public on NTFDS occurred between March and May 2022. The strategy was formally adopted at a joint council committee meeting on 29 August 2022 and came into effect 19 September 2022.
- 7.4 The NTFDS identifies how the region plans to provide for population growth over the next 30 years in a sustainable manner and includes direction around the location and level of intensification planned for the existing urban areas. The level of and locations for intensification

Item 8: Notification of Plan Change 29

proposed by PC29 is consistent with the public engagement undertaken for the NTFDS.

Stakeholder engagement

7.5 Draft PC29 was released to key stakeholders in accordance with section 3(1) Schedule 1 of the RMA in November 2022, and written feedback was received from:

- Tasman District Council,
- Transpower,
- Fire and Emergency New Zealand,
- Heritage New Zealand,
- Port Nelson,
- Waka Kotahi and
- Kāinga Ora.

7.6 Feedback received from stakeholders was generally positive, and there was support for the direction taken towards providing for a more enabling and flexible approach to housing opportunities within Nelson's existing urban areas. Suggestions for improving some provisions were provided and led to refinements. As a result, PC29 was amended to:

- Improve consistency of like rules across chapters;
- Improve some assessment matters of rules to clarify intent;
- Better align policies with the direction of rules; and
- Align provisions with best practice and/or national standards in key areas (e.g. management of electricity infrastructure).

7.7 Stakeholder engagement on the development of PC29 is discussed further in section 11.3 of the Section 32 Report (Attachment 1).

Iwi partnership

7.8 An iwi working group (IWG) with the eight iwi of Te Tau Ihu was established in early 2015 to identify the resource management issues of significance to Iwi, provide a Māori cultural perspective on resource management, and assist to develop appropriate policy responses. The IWG generally met on a 6-weekly basis.

7.9 The Iwi Working Group met regularly between 2015 and 2021 to discuss matters relating to the development of Draft Whakamahere Whakatu Nelson Plan (WWNP) content. In a separate process, the eight iwi of Te Tau Ihu were also engaged by Council in the development of the Future Development Strategy 2020 – 2052 (NTFDS). As already noted, draft

Item 8: Notification of Plan Change 29

content of the WWNP and directions for growth from the NTFDS formed the basis of content for PC29.

- 7.10 Between late 2021 and early 2023, PC29 was discussed at the regular IWG meetings, with a particular focus on and collaboration over the development of papakāinga provisions.
- 7.11 Council must formally consult with Iwi in accordance with Schedule 1 clause 3(1)(d) of the RMA. This required Council to provide a copy of the draft plan change PC29 to iwi authorities and have particular regard to any advice received.
- 7.12 The eight Iwi of Te Tau Ihu were provided the draft PC29 between November 2022 and January 2023 for formal consultative feedback. Written feedback was received from Te Atiawa Manawhenua Ki Te Tau Ihu Trust and Te Rūnanga O Ngāti Toa Rangatira. Key feedback led to some refinements to PC29.
- 7.13 More detail about Te Tau Ihu iwi involvement in the development of PC29 is set out in section 25.3 of the Section 32 Report (Attachment 1).

8. Legal context

- 8.1 This section addresses legal obligations relevant to and unpinning the development of proposed PC29. It provides a high-level summary of how PC29 addresses the requirements of planning policy development under the RMA and national direction.

The Resource Management Act 1991 (RMA)

- 8.2 The purpose of the RMA is to promote the sustainable management of natural and physical resources in a manner which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety.
- 8.3 A detailed assessment of PC29 against the RMA is provided for in the Section 32 Report (Attachment 1) including the economic costs and benefits of proposed changes.
- 8.4 Section 6 of the RMA contains the matters of national importance that must be recognised and provided for. Of particular relevance to PC29 are those matters directly affecting or affected by proposed changes to housing, namely 6(f):

the protection of historic heritage from inappropriate subdivision, use, and development and 6(h) the management of significant risks from natural hazards.

- 8.5 These matters are specifically addressed by PC29 through proposed amendments to heritage and natural hazards provisions.

National Policy Statement on Urban Development 2020

Item 8: Notification of Plan Change 29

- 8.6 A key driver underpinning PC29 is the National Policy Statement for Urban Development (NPS-UD) 2020. This directive from central government sets out objectives and policies for planning that will result in well-functioning urban environments under the RMA.
- 8.7 Well-functioning urban environments are ones which have good accessibility for all people, between housing, jobs, community services, natural and open spaces, including by way of public and active transport, and in so doing, support a reduction in greenhouse gas emissions.
- 8.8 Policy 5 of the NPSUD is a key policy shaping Council's obligation to create a well-functioning urban environment for Nelson. As a tier 2 Council, it requires that Councils prepare their plans to:
- Enable heights and densities of urban form commensurate with the greater of:*
- *The level of accessibility by existing or planned active or public transport to a range of commercial and community activities or*
 - *The relative demand for housing and business use in that location.*
- 8.9 Officers have taken urban design advice on how proposed housing provisions could ensure accessibility in terms of Policy 5. The advice and the analysis have informed the location and extent of the proposed high and medium density zones. More detail about how this advice was considered in PC29 is set out in the Section 32 report (Attachment 1).
- 8.10 Transportation advice was also sought to ensure housing development can be accommodated within the roading network, recognising efficiency and climate change considerations. This advice has informed changes to NRMP provisions that will ensure new developments to support active transport (transportation mode shift), reduction in greenhouse gas emissions, and that the effects of those developments on the wider transportation network are managed. More information about how this advice was considered in PC29 is set out in section 22 of the Section 32 Report (Attachment 1).
- 8.11 In summary, Council can be satisfied that PC29 will give effect to Policy 5 of the NPSUD ensuring a well-functioning urban environment through both the outcomes it seeks and the way in which the plan provisions can be implemented.

Infrastructure

- 8.12 Objective 6 of the NPSUD sets the directive of providing for integrated infrastructure provision as part of the equation contributing to well-functioning urban environments. Council must ensure that decisions on urban development are integrated with infrastructure planning and funding decisions are strategic over the medium and long term and responsive to development proposals.

Item 8: Notification of Plan Change 29

- 8.13 PC29 provides a theoretical section yield that in parts of the city cannot be supported by current or planned infrastructure provision. However, while measures are in place to improve capacity in key locations - as provided for in the Nelson Infrastructure Strategy and Long Term Plan, given the time and budget requirements for design and construction of infrastructure upgrades, it is essential that Council and developers work together to better sequence preferred locations for growth and intensification projects.
- 8.14 This will ensure a more orderly approach to provision of services and minimise disruption to traffic and business in the wider city. The Council will monitor development trends to be responsive to any identified infrastructure deficits in relation to permitted development; those requiring resource consent will be easier to manage where the Service Overlay in the NRMP applies.
- 8.15 More information about the strategy and how Council will provide for infrastructure support of intensification is set out in the Section 32 Report (Attachment 1).

The Nelson Tasman Future Development Strategy (NTFDS)

- 8.16 The NPSUD also directs Council to develop a strategy for future growth via Part 3 (Subpart 4). All Tier 2 councils that share jurisdiction over an urban environment must work together to produce a Future Development Strategy (NTFDS) which sets out a long-term vision for accommodating urban growth, in time to inform the Councils' 2024-2034 Long Term Plan. Nelson City and part of Tasman District form the Tier 2 Nelson Tasman Urban Environment under the NPS-UD.
- 8.17 The NTFDS was adopted on 29 August 2022 and came into effect on 19 September 2022. The NTFDS outlines areas where there is potential for future housing and business growth focused largely along State Highway 6 from Atawhai to Wakefield, by intensification and greenfield expansion and some rural residential areas.
- 8.18 These directions for growth and intensification reflected the basis for refinements to the draft WWNP General and Medium density zones. The NTFDS also directed new High Density Zones in proximity to the City Centre and key suburban commercial zones.
- 8.19 Officers were directed to implement NTFDS intensification options through PC29 at the 17 August 2022 Council Workshop. By implementing the key directions of the NTFDS through PC29, Council can give effect to these objectives and realise its obligations under the NPSUD. More detail about how the NTFDS informed PC29 housing heights, locations and densities is set out in section 9 of the Section 32 Report (Attachment 1).

Plan Enabled Capacity

- 8.20 In providing for housing through PC29, the NPSUD further directs Council to ensure that sufficient housing capacity is provided for within its Plan.

Item 8: Notification of Plan Change 29

- 8.21 Objective 2 states that: *'planning decisions improve housing affordability by supporting competitive land and development markets'*; and Policy 2 requires that tier 1,2 and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and business land over the short term, medium term and long term.
- 8.22 To understand if the housing provisions of proposed PC29 will satisfy the requirements of these NPSUD policies, Council commissioned Market Economics to model the residential capacity enabled by the proposed plan change and provide an analysis of that relative to demand. This report is a key piece of supporting evidence that has formed part of and is attached to the Section 32 Report (Attachment 1).
- 8.23 The capacity and demand assessment indicates that proposed PC29 provisions will provide more than sufficient theoretical capacity relative to likely demand, up to eight times the level of long-term demand. Whilst at face value this level of capacity appears sizable, it is important to note that theoretical plan enabled capacity does not represent actual housing supply which is dependent on uptake and commercial feasibility.
- 8.24 Only a modest proportion of theoretical plan-enabled capacity, termed uptake, is likely to translate into housing supply. The measure of uptake used in the NTFDS process for estimating the proportion of intensification uptake relative to theoretical capacity over a 30-year period was 15%.
- 8.25 More information about this can be found in Section 7.3 of the background technical document of the NTFDS - <http://www.nelson.govt.nz/assets/Building-Planning/Downloads/city-development/future-development-strategy/fds-2022-2052/FDS-Final-Technical-Report-12.09.22.pdf>.
- 8.26 The analysis of PC29 plan enabled capacity provided by Market Economics supports the new residential zones and the development opportunity they provide. The report recognises that the opportunities for intensification within the existing urban areas will provide flexibility and opportunity within inner-city and suburban locations that are highly accessible. The economic benefits of this approach are also recognised and taken into account within the analysis provided.
- 8.27 More information about the economic costs and benefits of proposed PC29 in relation to plan enabled capacity is set out within section 11.2 of the Section 32 Report (Attachment 1). This includes analysis of the proposed changes in terms of the purpose of the RMA, to ensure that people and communities can provide for their social, economic and cultural well-being.

Section 32 of the RMA

- 8.28 The purpose of section 32 of the RMA is to ensure that any Proposed District Plan or plan change provisions are robust, evidence based, and the best means to achieve the purpose of the Act. Council must undertake an evaluation of any proposed provisions prior to their notification. The Section 32 report (Attachment 1) provides the rationale

Item 8: Notification of Plan Change 29

for the proposed provisions and, as such, needs to be read in conjunction with those provisions.

- 8.29 Section 32 requires that Plan objectives are the most appropriate way to achieve the purpose of the RMA, and that options and alternatives for achieving those objectives are assessed for their effectiveness and efficiency. This includes an assessment of the benefits and costs of environmental, economic, social and cultural effects.

Officers are confident that sufficient and proportionate consideration has been given to the effectiveness, efficiency, costs and benefits of proposed PC29 as outlined in the Section 32 report (Attachment 1).

9. Scope/Extent of Plan Change 29

- 9.1 This section provides an overview of the content of PC29 in terms of the scope of changes to provisions, and spatial changes (maps and overlays) of the NRMP.

Spatial extent

- 9.2 The spatial extent, or land area affected by PC29 changes is defined by the urban zones of the NRMP within Nelson and can be viewed on the ePlan. These are as follows:
- Residential, Residential – Higher Density Area, Residential – Lower Density Area (Residential – Lower Density Stoke)
 - Inner City – Centre, Inner City – Intense Development, Inner City – Fringe
 - Suburban Commercial Zones
 - Commercial Leisure Area
 - Industrial (Port), Industrial (Annesbrook), Industrial (Stoke), Industrial (Nayland Road South Area).
- 9.3 All other Zones, not listed above, are not within scope of PC29. The out-of-scope NRMP zones are the Open Space and Recreation Zone, Conservation Zone, Rural Zone, Rural – Lower Density Small Holding Area, and Rural – High Density Small-holding Area. The NTFDS greenfields areas are also out of scope of PC29, and the area of land subject to Private Plan Change 28 (Maitai/Maitahi) is also not within scope of PC29.
- 9.4 While the spatial extent of PC29 is defined by the urban zones, some locations within those zones will not be up-zoned to provide intensification opportunities. This is due to land in these locations being affected by coastal flooding, river flooding, or slope instability risk.
- 9.5 The areas not being up-zoned to enable intensification are as follows:

Item 8: Notification of Plan Change 29

- Areas at risk from coastal inundation from future potential sea level rise;
- Residential zone areas that are affected by both coastal and river flood;
- Areas that were significantly affected by the August 2022 flood event; and
- The area defined as Slope Instability Area 1, which includes land in and around the Tāhunanui Slump.

9.6 In these areas, the status quo NRMP Residential Zone development opportunities will apply to potential development. New and updated hazards and heritage information being introduced through PC29 will however apply to the entire PC29 extent including these areas.

9.7 Further information about these areas and how hazards are being addressed through PC29 are outlined in section 9.8 below.

Scope of amendments

9.8 The scope of changes to NRMP chapters is defined as follows:

9.8.1 Amendments that enable intensification of development on land currently zoned for residential and commercial uses, outside of those areas identified as being susceptible to significant risk from natural hazards.

9.8.2 Amendments to ensure a well-functioning urban environment.

9.8.3 New or amended provisions that manage development in urban areas potentially susceptible to natural hazards (river and coastal flood, fault, liquefaction and slope instability), within all residential, inner city, suburban commercial and industrial zones.

9.8.4 Amendments to built heritage items and provisions ensuring the appropriate management of heritage values through housing development within the residential, inner city, suburban commercial, and industrial zones.

9.8.5 Amendments to ensure alignment with national planning standards where relevant and practicable.

9.8.6 Consequential amendments to ensure consistency and functionality of the NRMP as a whole.

9.9 The above scope is defined by changes directly affecting or affected by the overarching objective of providing for more housing opportunities within existing urban areas of Nelson.

10. Summary of PC29 Amendments

- 10.1 This section provides an overview of amendments to NRMP provisions being proposed through the PC29 by topic.

Residential areas

- 10.2 Proposed PC29 introduces three new residential zones, a General residential zone (GRZ), a Medium-density residential zone (MRZ), and a High-density residential zone (HRZ). These can be viewed on the ePlan.
- 10.3 The new provisions for these zones aim to provide more enabling and flexible residential opportunities supporting intensification in and around key amenities. Objectives and policies recognise the balance between enabling intensification and providing flexibility for landowners to provide for their needs, while ensuring a standard of amenity for current and future residents.
- 10.4 Uptake of the opportunity may impact on the environment of existing residential areas through increases in the bulk of buildings but there are minimum amenity standards designed to achieve a balance in urban form.
- 10.5 An overview of the new zones is as follows:
- 10.5.1 General residential zone (GRZ) standards enable greater flexibility than current NRMP residential zones, by providing for more housing options. Up to three residential units will be allowable as a permitted activity to a height of 8m (2 storeys). Other standards that protect amenities are aligned with current best-practice for standard residential development.
 - 10.5.2 Medium-density residential zone (MRZ) standards allow for a greater density of development. Up to three units of development will be allowable as a permitted activity and development standards are generally aligned with Medium Density Residential Standards (MDRS) required of Tier 1 Councils through the Resource Management Enabling Housing Supply and Other Matters Amendment Act (2021). This includes up to three units to a height of 12m (3 storeys).
 - 10.5.3 High-density residential zone (HRZ) standards are based on NTFDS heights and densities and allow for up to 19.5m (6 storeys) and three units of development as a permitted activity, subject to key development standards also being met. The zone anticipates apartment-style development, in central locations adjoining key access and commercial centres.
- 10.6 Existing residential zones and planning provisions in some locations will be retained, and status quo development opportunities in these areas will not be amended. As noted above, these locations are affected by current or future potential natural hazards. This is discussed in more detail in the natural hazard's sections below.

Item 8: Notification of Plan Change 29

- 10.7 While the provisions relating to development in the existing residential zones are not proposed to be amended, the names of them are proposed to be changed as set out below in Table 2. This is to avoid confusion with the proposed new general, medium and high density residential zones.

Table 2 – Existing residential zone – name changes

Current NRMP Zone	Proposed PC29 Zone name
Residential Zone	Residential Zone - standard area
Residential Zone – Lower density area	Residential Zone – lower density area
Residential Zone – Higher density area	Residential Zone – comprehensive area

- 10.8 More information about the residential zones is detailed within section 19 of the Section 32 report (Attachment 1) including an assessment of the spatial extent of the zones and amendments relating to activities in the residential zones are contained in Chapters of the changed NRMP.

Commercial zone changes

- 10.9 Opportunities for residential development are also being introduced into existing commercial zones. These are the Inner City – City Centre, Inner City – Fringe, and Suburban Commercial zones, which can be viewed on the ePlan.
- 10.10 Objectives and policies supporting this change identify the dual aim of providing housing opportunities close to amenities and helping to reinvigorate the city’s commercial centres by supporting higher concentrations of people living in those locations. Residential activity will be enabled from above the ground floor in these zones, prioritising commercial activity at street level.
- 10.11 The heights enabled within each commercial zone generally align with those directed by the NTFDS and the height of any adjoining residential zone. This can ensure an appropriate height differential between residential and commercial zones at any given adjoining boundary. In the Inner City zones, the heights enabled are 24m or 6 storeys. In the Suburban Commercial zones heights vary to generally align with adjoining residential development.
- 10.12 Following previous Council direction, all new buildings in the commercial zones will require a resource consent as a restricted discretionary activity. Council considered proposed permitted standards were too prescriptive and did not provide sufficient flexibility or innovation in design. Restricted discretionary activity status does allow for quality design outcomes for new buildings in the city centre and suburban

Item 8: Notification of Plan Change 29

commercial areas. Activity standards and the exercise of discretion address matters such as:

- Building design and development layout effects on the visual quality and interest of streets and public open spaces
- Heritage values of adjacent scheduled buildings
- Residential amenity values for building occupants, including access, outlook, privacy, and storage.

- 10.13 Proposed PC29 does not change the spatial extent of the Inner City - City Centre or the Suburban Commercial zones.
- 10.14 Proposed PC29 does however seek to extend the Inner City - Fringe zone southwards along Vanguard Street and St Vincent Street. This rezoning is intended to replace the Industrial zone that applies in this location under the NRMP and is consistent with the land use change indicated in the NTFDS.
- 10.15 Within all commercial zones, including the re-zoned Inner City – Fringe at the Vanguard Street and St Vincent Street locations, new permitted housing will have to provide for acoustic insulation to mitigate against the potential for reverse sensitivity effects on existing commercial and light industrial activities. This can ensure the on-going viability of potentially conflicting activities in this mixed-use environment.
- 10.16 More information about the commercial zones is detailed within section 21 of the Section 32 report (Attachment 1) including technical advice and an assessment of the need for acoustic insulation, and chapter amendments to the NRMP relating to activities in the commercial zones.

Natural Hazards – Liquefaction

- 10.17 Operative NRMP provisions do not manage risk from liquefaction. PC29 will introduce a Liquefaction Hazard Overlay identifying areas within the urban zones that are potentially susceptible to liquefaction. PC29 also proposes provisions to manage new development on land within the Liquefaction Hazard Overlay. The Liquefaction Hazard Overlay is available to view on the ePlan.
- 10.18 Within the Liquefaction Hazard Overlay, minor buildings and additions to existing buildings and network utilities are permitted activities, otherwise resource consent is required for buildings and network utilities as a restricted discretionary activity.
- 10.19 With all activities in the Liquefaction Hazard Overlay where a resource consent is required, a key requirement is the provision of an assessment of the liquefaction hazard risk prepared by a suitably qualified and experienced professional engineer or engineering geologist.
- 10.20 Subdivision that creates an additional allotment is proposed as a restricted discretionary activity in the Liquefaction Hazard Overlay.

Item 8: Notification of Plan Change 29

- 10.21 Further details on the Liquefaction Hazard Overlay and the rules that apply to it are detailed within section 13.3 of the Section 32 report (Attachment 1). Amendments relating to liquefaction provisions (including objectives, policies and rules) are contained in NRMP chapters 2, 3, 5, 7, 8, 9, and 10.

Natural Hazards – Faults

- 10.22 Proposed PC29 incorporates new technical information on faults and updates the NRMP provisions for development in areas potentially susceptible to fault hazards, within urban zones, largely based on the approach developed through the draft WWNP processes.
- 10.23 The NRMP Fault Hazard Overlay is to be removed within urban zones and two new fault hazard overlays are introduced. Properties affected (either partially or wholly) are located within NRMP residential zones, the new GRZ, the MDRZ and the Suburban Commercial Zone. The new overlays can be viewed on the ePlan:
- Fault Deformation Overlay – Minor buildings and additions to existing buildings and network utilities are permitted, otherwise all building work and network utilities, are restricted discretionary activities. Subdivision is proposed to be a discretionary activity.
 - Fault Awareness Overlay New residential units are a restricted discretionary activity. Subdivision is also a restricted discretionary activity.
- 10.24 Where resource consent is required for activities within the Fault Deformation Overlay or the Fault Awareness Overlay, a key requirement is the provision of an assessment of the fault hazard risk prepared by a suitably qualified and experienced professional engineer or engineering geologist.
- 10.25 The operative NRMP Fault Hazard Overlay and associated provisions will be retained outside of PC29 areas and will therefore continue to apply as relevant in the Open Space and Recreation Zone, Conservation Zone, and rural zones.
- 10.26 Further details on the fault hazard overlays and the rules that apply to them are detailed within section the Section 32 report (Attachment 1). Amendments relating to fault hazard provisions (including objectives, policies and rules) are contained in NRMP Chapters 2, 3, 5, 7 and 9.

Natural Hazards - Slope instability

- 10.27 The existing NRMP Tāhunanui Slump Core Slope Risk Overlay, Tāhunanui Slump Fringe Slope Risk Overlay, and Grampians Slope Risk Overlay are proposed to be replaced by new overlays within the urban zones. Four new overlays are proposed, Slope Instability Area 1 Overlay, Slope Instability Area 2 Overlay, Slope Instability Area 3 Overlay and a Debris Run-out Area Overlay.

Item 8: Notification of Plan Change 29

- 10.28 Properties affected (either partially or wholly) are within NRMP Residential Zone - Lower Density Area, and within all urban zones in scope of proposed PC29 except the Inner City-Centre Zone and the Industrial Zone. The proposed new overlays can be viewed on the ePlan.
- 10.29 The four slope instability overlays are as follows:
- Slope instability Area 1 - properties most at risk from slope instability, located at Tāhunanui. This area is not being 'up-zoned' to enable intensification within it. Status quo development opportunities will continue to apply to any new development affected by the overlay, including provision for one residential unit to be built on a vacant site as a non-complying activity. More than one residential unit on any site is proposed to remain a prohibited activity. Additions to existing residential units are proposed to be non-complying activities and accessory buildings greater than 10m² are proposed to be provided for as restricted discretionary activities. Restrictions continue to be placed on structures greater than 1000kg, on earthworks, and on stormwater disposal. Subdivision that creates a new allotment is proposed to remain a prohibited activity.
 - Slope instability Area 2 - areas that are at elevated risk of slope instability including properties on the Grampians, Marybank, Marsden Coal Measures, and parts of the Tāhunanui Fringe. Provision is made for new residential units as a restricted discretionary activity, as are additions to existing buildings and accessory buildings greater than 10m². Restrictions are placed on structures greater than 5000kg, on earthworks, and on stormwater disposal. Subdivision is proposed to be a discretionary activity.
 - Slope Instability Area 3 - includes the remainder of the hills that have been assessed as having some potential for slope instability hazard. New residential units are a restricted discretionary activity as are additions to existing buildings and accessory buildings greater than 10m². Restricted discretionary resource consent will be required for structures greater than 5000kg. Further restrictions are placed on earthworks and stormwater disposal. Subdivision is proposed to be a discretionary activity.
 - Debris Run-Out area - where there is a risk of being affected by the run-out from instability occurring upslope, PC29 provisions focus on requiring resource consent for new residential units as a restricted discretionary activity, while additions to existing residential units and accessory buildings greater than 10m² are restricted discretionary activities. Subdivision is proposed to be a discretionary activity.
- 10.30 Where resource consent is required for activities within the slope instability overlays, a key requirement is the provision of an assessment of the slope instability risk prepared by a suitably qualified and experienced professional engineer or engineering geologist.

Item 8: Notification of Plan Change 29

- 10.31 Further details on the fault hazard overlays and the rules that apply to them are detailed within section 13.3 of the Section 32 report (Attachment 1). Amendments relating to fault hazard provisions (including objectives, policies and rules) are contained in NRMP Chapters 2, 3, 5, 7, 8 and 9.

Natural Hazards - River flood

- 10.32 Proposed PC29 updates existing NRMP overlays and associated provisions with the latest technical information. This includes the introduction of three new flood hazards overlays: the Flood Hazard overlay, the High Flood Hazard overlay, and Floodway overlay.
- 10.33 Following the August 2022 flood event, areas that were significantly affected or require further assessment are not up-zoned to enable intensification.
- 10.34 Properties within the Flood Hazard and High Flood Hazard overlays (including the Floodways) that are at risk of flooding in a 1% Annual Exceedance Probability (AEP) rainfall event up to 2130 are shown in an overlay. These overlays will replace the current NRMP Inundation Overlay and NRMP Floodpath Overlay, with some exceptions (see para below). The NRMP flood related overlays will continue to apply to land outside PC29 spatial extent.
- 10.35 Generally, in the flood related overlays, except for Floodways and Flood Paths, the rules relating to the following activities default to restricted discretionary activities when the specified permitted conditions cannot be met:
- storage and use of hazardous substances;
 - buildings;
 - network utilities;
 - fences, walls and outdoor storage;
 - earthworks; and
 - flood mitigation and protection works.
- 10.1 Matters of restricted discretion for buildings include floor or ground levels, building design, other mitigation measures to address risk from the flood hazard, any exacerbated effects in relation to flooding on or off-site, access, including ingress and egress, adaptive management approaches, evacuation plans, and any additional risk from coastal hazards.
- 10.2 There are only minor distinctions in the rules that apply to the two flood overlays; the exception to this is for the creation of vacant allotments through subdivision in the High Flood Hazard overlay, which is a non-

Item 8: Notification of Plan Change 29

complying activity. Subdivision in the Flood Hazard and High Flood Hazard overlays is otherwise a restricted discretionary activity.

- 10.3 As noted above, not all hazard risk areas are covered by the new and updated flood mapping. In some locations, new information is not available to replace the existing NRMP flood related overlays, and these residual parts of the overlay will be retained where there is a remaining flood hazard risk.
- 10.4 Similarly, the NRMP includes a flood path overlay and a table of unmapped flood paths (Flood Path table) identifying flood channels. Where the information contained in the Flood Path table has not been updated with new information, it has been retained.
- 10.5 More information about the various river flood overlays and the rules that apply to them are detailed within section 13.2 of the Section 32 report (Attachment 1). Chapter amendments relating to river flooding objectives and policies are contained in NRMP Chapters 5, 7, 8, 9 & 10. Rules relating to the various flood hazard overlays are contained within the zones affected by them and can be found in the same chapters listed above.

Natural Hazards – Coastal Flood (sea level rise)

- 10.6 Proposed PC29 addresses areas at risk from coastal flooding by sea level rise by not up-zoning them for intensification opportunity. This approach might be seen to pre-empt the Dynamic Adaptive Pathways Planning (DAPP) process the Council is working on, but it is appropriate and proportionate at this time.
- 10.7 In the areas that are not being up-zoned for intensification, existing NRMP residential zone opportunities for development will continue to apply.
- 10.8 PC29 defines the area not being up-zoned as that affected by coastal flood scenario, 1% AEP event, 2130, SSP 8.5 (H+) including Vertical Land Movement (VLM). At the 17 February workshop, Council understood this approach was consistent with Table 3 in the [Ministry for the Environment interim guidance](#) on the use of new sea-level rise projections. This means in particular, that residential areas in the Tāhunanui area have not been up-zoned.
- 10.9 More information about coastal flooding and Council's approach to sea level rise is detailed within section 13.1 of the Section 32 report (Attachment 1). Rules relating to the low lying areas are contained within the zones affected by them, and can be found in NRMP Chapters 5, 7, 8, 9 & 10.

Heritage

- 10.10 Proposed PC29 heritage provisions ensure the protection of built historic heritage from inappropriate subdivision, use, and development. The proposed amendments include:

Item 8: Notification of Plan Change 29

- Policy DO4.1.13 is amended to provide additional direction for determining appropriate subdivision, use, and development in heritage precincts.
 - Amendments to existing rules and standards, to provide for the appropriate use and development of heritage resources and their setting (for both heritage items and precincts).
 - The addition of new heritage-related definitions to support the implementation of rules.
 - The removal of the City Centre - Inner Heritage Precinct (commercial) and related design guide.
 - The addition of Richmond Avenue Heritage Precinct (residential) and related design guide.
 - Amendments to the criteria in NRMP Appendix 1 used for assessing the heritage significance of buildings, places, and objects.
 - An update to the heritage schedule in NRMP Appendix 1, including reassessment of the significance of heritage items using the amended criteria, updating details about heritage items where necessary, and the addition or removal of heritage items.
- 10.11 More information about heritage is detailed within section 24 of the Section 32 report (Attachment 1). Chapter amendments relating to heritage objectives and policies are contained in Chapter 5. Rules relating to the various heritage items and precincts are contained within the zones where they are located and can be found in NRMP Chapters 7,8 and 9.

Papakāinga

- 10.12 PC29 provisions for papakāinga better enable the development of papakāinga by tāngata whenua on their land within the urban zones of PC29 where there is a whakapapa or ancestral connection to the land. The amendments include:
- The addition of new definitions into Chapter 2 (to apply only to papakāinga provisions for urban zones) - meaning of words for ancestral land, ancillary activity, commercial activity, general title land, Māori land, Papakāinga, taonga, tipuna/tupuna, whakapapa.
 - A suite of new objectives and policies for papakāinga.
 - New rules and standards into zone chapters: Chapter 7 Residential, Chapter 8 Inner City, Chapter 9 Suburban Commercial. New rules include papakāinga development as a permitted activity on land held under the Te Ture Whenua Māori Act 1993 and on general title land held by Māori with whakapapa or ancestral connection to the land.

Item 8: Notification of Plan Change 29

- Permitted activities will need to comply with some zone-specific standards including site coverage, yards, building height, daylight admission, and maximum gross floor area for commercial activities (in residential zones).

10.13 More information about papakainga is detailed within section 25 of the Section 32 report (Attachment 1). Chapter amendments relating to papakainga objectives and policies are contained in Chapter 5. Rules relating to papakainga are contained within NRMP Chapters 7, 8 and 9.

Transport

10.14 The purpose of changes to transport provisions in proposed PC29 is to ensure that new development will result in well-functioning urban environments that support a reduction in carbon emissions whilst maintaining accessibility and connection. They seek to ensure that active transport and alternatives to private car use, such as use of micromobility devices (e.g. bikes, E-bikes, scooters and other personal transportation devices) are better supported in the NRMP.

10.15 Changes also respond to the impact of Policy 11 of the NPSUD, which removes the ability of Councils to require on-site car parking: *'In relation to carparking... the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks...'*

10.16 Proposed amendments include:

- Removal of the mandatory requirement to provide vehicle access to every site, and the associated proposal to require pedestrian access to every site that doesn't have a vehicle access;
- Additional requirements for on-site car parking, where this is voluntarily provided, including on site loading spaces to allow for deliveries, pick up and drop off; requirements to provide for electric vehicle charging; accessible parking spaces required for multi-unit residential developments (over and above the requirements of the Building Act); and lighting standards for car parks, loading spaces and cycle parking areas to make these safer at night;
- Requirements for most residential and commercial activities to provide for secure and covered micromobility device parking for residents, visitors and staff.
- The requirement for end of trip facilities to support walking and cycling, and to enable a mode shift towards more people using active forms of transport;
- Enabling the assessment of effects on the transport network where an activity is likely to generate higher numbers of vehicle trips;

Item 8: Notification of Plan Change 29

- Updated standards for shared private vehicle accesses, including right of ways and shared vehicle access for multi-unit developments.

10.17 More information about transportation is detailed within section 22 of the s.32 report (Attachment 1). Chapter amendments relating to transportation objectives and policies are contained in NRMP Chapters 5 and Rules and appendices relating to transportation, parking and access are contained within chapters 7, 8, 9, 10 and Appendices 10 and 11.

11. Climate Change Issues

11.1 At a Council meeting held on 19 May 2022 officers were requested to identify how PC29 can deliver to mitigation and sequestration of greenhouse gases, climate change adaptation, and improvement of local environments including water conservation to an Environment and Climate Committee workshop.

11.2 A plan change of this nature is a limited and indirect tool to address climate change. Council can access other powers to assist with mitigation. However, climate change trends have informed the development of PC29.

11.3 The enabling of an increase in housing through urban intensification will support climate mitigation and network resilience. Examples of the broader positive climate change/sustainability outcomes that PC29 contributes to are:

- Reduction in greenhouse gas emissions (GHG) - as people live closer to where they work and recreate, it is likely that this will reduce the reliance on cars for travel leading to a greater uptake of active transport options such as walking and cycling. This in turn will reduce GHG emissions.
- Less stress on network resilience over time - through the continued use and ongoing upgrades of existing infrastructure rather than just relying on greenfield infrastructure which requires additional resources including land.
- Avoiding intensification in areas where sea level rise, associated coastal inundation, exposure to coastal erosion and river flooding are likely to present an unmanageable risk to people, property, and infrastructure.

11.4 In addition to the above overall approach, numerous activities at the dwelling level are available without requiring resource consent (ie a permitted activity). PC29 does not mandate activities such as rainwater tanks or solar panels as in many instances the Building Act now manages this activity. Rather, through objectives and policies and the permitted activity category of development, it encourages activities, for example, the collection of rainwater to provide supplementary domestic water supply for outdoor use (garden irrigation or the washing of vehicles).

Item 8: Notification of Plan Change 29

- 11.5 Permitted activities in PC29 include roof or ground-mounted solar array (GHG reduction), small wind turbines (GHG reduction), and rainwater tanks.

12. Notification

- 12.1 Public notification of PC29 initiates a statutory consultation and decision-making process set out in Schedule 1 of the Resource Management Act comprising several stages:

Table 3: Notification Timeline

Stage	Timeframe
<p>Public submissions</p> <p>Once PC29 is notified, the public may make submissions on the Plan Change under clause 6 of Schedule 1 of the RMA.</p>	<p>The closing date for submissions must be at least 20 working days after public notification (clause 5(3)(b) of Schedule 1).</p> <p>Officers propose 27 working days (11 August – 19 September) (39 calendar days) given the community response to the Nelson Airport Plan Change - PC30 timeframes.</p>
<p>Summary of submissions</p> <p>Following the closing date for submissions, Council must summarise the submissions and the decisions requested by submitters, and then publicly notify the summary.</p>	<p>While there is no statutory timeframe officers are planning for notifying the summary by November.</p> <p>The amount of time required will vary depending on the quantity and complexity of submissions.</p>
<p>Further submissions</p> <p>Some people or groups (including Council) can make further submissions on the Plan Change. A further submission can only support or oppose a submission. It cannot extend the scope of an original submission.</p>	<p>No more than ten working days after public notification of the summary of submissions (clause 7(1)(c) of Schedule 1).</p>
<p>Hearings</p> <p>A mix of elected members and independent commissioners will form the panel to hear submissions on PC29, unless no</p>	<p>No statutory timeframe, except that the panel must give at least 10 working days' notice of the place and time of the hearing (clause 8B of Schedule 1).</p>

Item 8: Notification of Plan Change 29

person indicates they wish to be heard.	Officers are planning for hearings in July/August 2024 at the latest.
Recommendations Following the hearing, the hearings panel must make recommendations on the Plan Change in a written report.	No statutory timeframe.
Council decision on recommendations Following receipt of the recommendations, Council must decide whether to accept or reject the recommendations of the hearings panel. Council must then publicly notify its decision(s).	
Public notification of decisions All submitters must be notified when the decision is issued.	A decision must be issued no more than two years after notification of the proposed policy statement or plan.

12.2 The requirement for a plan change notified under Schedule 1 of the RMA is outlined in clause 5 of that Schedule, to be read in conjunction with Section 2AC of the Act. Officers have prepared a comprehensive notification package which is designed to exceed our statutory obligations and includes:

- A free 'friend of the submitter' service provided by the Council to remove barriers and foster participation in the plan change process;
- Shape Nelson web page which provides a summary of the Plan Change, including a comprehensive FAQ, how to make a submission, further submissions process, the closing date for submissions, where to find more information or get help, and the friend of the submitter service;
- Publication of a summary Notice in the Nelson Mail, Our Nelson and a community newspaper;
- A targeted social media campaign that highlights the ability of the public to search their property online through the Eplan, key proposed changes and the 'friend of the submitter' service;
- Publication of the summary of the Plan Change and FAQ in Our Nelson during the consultation period;

Item 8: Notification of Plan Change 29

- A targeted advertising campaign;
- Media briefing session;
- A physical community drop-in session held at the Nelson Market in conjunction with the elected members during the period submissions are open; and
- Material and assistance available at the Customer Service Centre and each library in the region.

13. Options

- 13.1 The decision to notify this plan change is of low significance as it is required by law if the Council elects to proceed with the plan change. However the content of the plan change will be of widespread interest and significance.

Option 1: Approval to publicly notify Plan Change 29 – Staff Recommendation	
Advantages	<ul style="list-style-type: none"> • NPSUD requirements are met • NTFDS expectations are met • Those expectations of intensification opportunities are better met with the plan change than the current NRMP
Risks and Disadvantages	<ul style="list-style-type: none"> • None except the Council will incur cost in responding to submissions which is part of the engagement process
Option 2: Delay approval to publicly notify Plan Change 29	
Advantages	<ul style="list-style-type: none"> • If Council wishes to take more time to consider the plan change, this is an option
Risks and Disadvantages	<ul style="list-style-type: none"> • Delay in presenting the plan change and receiving public feedback • Delay in notification could create issues if people try and take advantage of the plan content before certain provisions take legal effect
Option 3: Do not publicly notify Plan Change 29	
Advantages	<ul style="list-style-type: none"> • One less job on the Council work programme
Risks and Disadvantages	<ul style="list-style-type: none"> • Considerable sunk investment of time and resource • Expectations have been built up that such a plan change will be released. These will not be met if public notification does not proceed

Item 8: Notification of Plan Change 29

	<ul style="list-style-type: none">• NPSUD requirements still to be met• Some developments could occur that would not be consistent with the proposed plan content
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14. Hearings Panel

- 14.1 Under Section 34A(1) of the Resource Management Act (RMA), Council can delegate its functions, powers, and duties to a Hearings Panel to hear and recommend on plan changes and other RMA proceedings.
- 14.2 It is proposed that submissions on PC29 and PC31 which will be notified concurrently, be heard by a three-person panel comprising an independent Chair who has the chair endorsed accreditation and two accredited elected members.
- 14.3 Given the policy impact of the housing plan change it is appropriate that elected members are involved in the proceedings as local knowledge and an understanding of Nelson's housing and growth challenges and the options Council has to respond to these, will be an advantage during the hearing and deliberation process.
- 14.4 This will be a process that could involve considerable hearing time and span one to two months, so it may not be easy for elected members to invest this time in which case we can defer to independent commissioners. Elected members are remunerated in line with the determination from the Remuneration Authority (Local Government Members (2022/23) Determination 2022).
- 14.5 Once the Council has confirmed composition of the hearing panel, the Group Manager has delegated authority to make the appointment and indications of availability and inclination from elected members are welcome.

15. Conclusion

- 15.1 PC29 provides a suite of changes to existing provisions in the NRMP enabling improved housing opportunities in terms of supply and housing choice whilst ensuring appropriate management of natural hazards and protection of heritage values. The changes will help to fulfil Council's obligations under the NPSUD and implement the intensification options of the NTFDS.

16. Next Steps

- 16.1 If the Council approves public notification of Plan Change 29, Officers will prepare and publicly notify it on or before 11 August 2023. Note that it will be accompanied by Plan Change 31 which Council adopted at its meeting on 4 May 2023.

Item 8: Notification of Plan Change 29

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Attachments

Attachment 1: 539570224-14803 - Plan Change 29 - Section 32 Evaluation Report - July 2023 (*Circulated separately*)

<p>Important considerations for decision making</p>
<p>Fit with Purpose of Local Government</p> <p>The matters in this report support Nelson City Council's work to provide capacity for future growth and discuss the Government's requirements of local authorities for growth planning as set out in sections 30 and 31 of the RMA and its National Policy Statement on Urban Development 2020.</p>
<p>Consistency with Community Outcomes and Council Policy</p> <p>PC29 implements the intensification scenarios outlined in the NTFDS, supports the objectives in the Te Ara ō Whakatū - City Centre Spatial Plan, assists with addressing the Long term plan priority – Housing affordability and intensification and is consistent with the community outcomes, particularly:</p> <ul style="list-style-type: none"> • Our unique natural environment is healthy and protected • Our urban and rural environments are people friendly, well planned and sustainably managed • Our communities are healthy, safe, inclusive and resilient • Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement • Our region is supported by an innovative and sustainable economy
<p>Risk</p> <p>No decision to notify a plan change is risk free. Given the scope of the plan change, people may be unhappy with aspects of the proposal, but they will have the opportunity to provide feedback.</p> <p>As foreshadowed in the report, if the uptake of the intensification opportunities exceeds infrastructure capacity in any particular location, and Council is unable to respond in time, there may be some unhappiness or frustration from developers.</p>
<p>Financial impact</p> <p>The development of PC29 has required a significant financial investment.</p> <p>No additional funding is sought as a consequence of this decision.</p>
<p>Degree of significance and level of engagement</p> <p>The Council's Significance and Engagement Policy does not specifically apply to engagement or consultation processes that are required under the RMA. Public notification of PC29 initiates a statutory consultation and decision-making process comprised of several legal steps. This is on top of the considerable engagement undertaken to date.</p>

Item 8: Notification of Plan Change 29

Climate Impact

The decision to notify PC29 does not have a specific climate impact although the opportunities will be impacted by climate change and the design of the plan change has taken into account those areas where carbon footprints can be reduced through a plan change.

Section 11 of this report details climate change considerations and issues during the development of PC29.

Inclusion of Māori in the decision making process

Extensive engagement with Māori has been undertaken in preparing PC29. Section 7 of this report details the Iwi engagement that has taken place during the development of PC29.

Delegations

The Council has the lawful authority to consider notifying PC29.