

NELSON CITY COUNCIL

## **Nelson Resource Management Plan**

Proposed Plan Change 25  
Technical Fixes

### **Summary of Decisions Requested**

**Notification of Submissions Date**  
22 January 2011

**Further Submissions Close**  
5pm Friday, 4 February 2011





## Introduction

This document contains a Summary of Decisions Requested by persons making submissions on the Nelson Resource Management Plan, Proposed Plan Change 25 (Technical Fixes). In total 13 submissions (and one late submission) were received. The summary is in accordance with the requirements of Schedule 1, Clause 7, Public notice of submissions, Resource Management Act 1991 (RMA).

## Format

The decisions sought by each party in their submissions are listed by topic rather than by submitter. Where possible the words are those of the submitter. The original submissions should be referred to for a full understanding of the particular points raised by each submitter.

## Further Submissions

Further submissions are invited and may be made in accordance with Schedule 1, Clause 8, Clause 8A and Form 6, RMA. A guide to making a further submission is included on the following page. A further submission form is available to ensure that your further submission meets these requirements.

## Closing Date

The closing date for further submissions is 5pm, Friday 4<sup>th</sup> February 2011.

## Contact Person

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Planning Advisor  
Nelson City Council  
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Nelson 7040

03 546 0261

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## **Guide to Making a Further Submission**

### Important Information:

- Any person representing a relevant aspect of the public interest, or who has a greater interest than the general public, can make a further submission.
- A further submission may only be made in support of, or in opposition to an original submission to Plan Change 25.
- A further submission must state whether you support or oppose an original submission (or part thereof) and whether or not you wish to be heard on your further submission.
- A copy of your further submission must be served on the original submitter to which your further submission relates, within five working days of making your further submission to the Nelson City Council.
- Further submissions must be received by Nelson City Council prior to 5pm, 4 February 2011.

The Summary of Decisions Requested document summarises the decisions that have been requested in the original submissions received. If you intend to make a further submission, it is recommended that you read the full original submission.

Full copies of the original submissions are available by contacting Debra Bradley at the details below.

Copies of this Summary of Decisions Requested document are available for viewing at Civic House and at Nelson, Tahunanui and Stoke Libraries, or by contacting Debra Bradley on 546-0261 or [debra.bradley@ncc.govt.nz](mailto:debra.bradley@ncc.govt.nz), or online at [www.nelsoncitycouncil.co.nz](http://www.nelsoncitycouncil.co.nz) (search phrase = Plan Change 25). Further submission forms are also available at these locations.

When preparing your further submission, please use the **Statement Number** in the tables below to indicate what **submission statement** you are referring to.

Clearly state whether you support or oppose the decision requested you are making a further submission on.

Give the reasons for your support or opposition.

Use the **Further Submission Form** to help set out your further submission. It is in your best interests to make your further submission as clear as possible. If you have any questions regarding how to prepare a further submission, please contact Debra Bradley on 546 0261.

One copy of the further submission must be sent to Council and a second copy sent to the original submitter within 5 working days of providing Council with the further submission.

The postal addresses of submitters for the purpose of service of further submissions, as per Schedule 1, Clause 8A, Service of further submissions, RMA, is provided at the end of this document.

## Summary of Decisions Requested

### Plan Change 25 – Technical Fixes

Unique Identifier	Topic / Submitter Name	Submission Number	Statement Number	Decision Requested
<b>Noise explanations</b>	<b>Plan Change 25.2 - REr.43.5, ICr.42.5 and SCr.36.5</b>			
	Rex Bloomfield and Glen Rowling	1	1	Do not delete sentences from REr.43.5, ICr.42.5 and SCr.36.5.
	Nelson Greypower Association Inc	3	1	Do not delete sentences from REr.43.5, ICr.42.5 and SCr.36.5.
	Terry Holton	4	1	Do not delete sentences from REr.43.5, ICr.42.5 and SCr.36.5.
	Dan McGuire	5	1	Delete the incorrect word and replace it with the correct word in REr.43.5, ICr.42.5 and SCr.36.5. Do not delete the sentences within which the word occurs.
	Christine Grove	7	1	I support any existing or change in policy wording that will help create a QUIETER environment.
	David Brathwaite	8	1	(1) Existing Clauses REr.43.3, SCr.36.3 and ICr.42.3 should be deleted and replaced, in each  (2) Existing clauses REr.43.5, SCr.36.5 and ICr.42.5 should remain, unaltered.  These amendments to the Council proposal will achieve the objective of the "technical fix" in eliminating an "inconsistency" in the NRMP, and they will provide a result much more acceptable to residents, and less cumbersome and expensive for Council to administer.
	Jaap C Buys	9	1	Do not delete sentences from REr.43.5, ICr.42.5 and SCr.36.5.
	Jocelyn Smith	10	1	Delete Proposed Plan Change 25.2 entirely.
	Lance Edwardes	11	1	Delete Proposed Plan Change 25.2 entirely.
	Chris Appleton	12	1	Delete Proposed Plan Change 25.2 entirely.

Unique Identifier	Topic / Submitter Name	Submission Number	Statement Number	Decision Requested																		
	Colin Kerby	13	1	<p>1. Do not delete sentences from REr.43.5, ICr.42.5 and SCr.36.5.</p> <p>2. Council should abandon its proposal to markedly increase noise levels throughout Nelson City at Council-run events. The Council has not been able to adequately police the noise levels now, in my opinion, and ought to fine the people making excessive noise and make them pay a monetary penalty for the excess noise they create.</p>																		
<b>Dripline</b>	<b>Plan Change 25.5 - Definition</b>																					
	Cadwallader Tree Consultancy & NZ Notable Trees Trust	6	1	Replace the term 'Drip line' with 'Root Protection Zone', as explained in statement 2 of my submission.																		
	Cadwallader Tree Consultancy & NZ Notable Trees Trust	6	2	<p>Amend the Proposed Plan Change to adopt the AS 4970 2009 'Protection of Trees on Development Sites' as a guide to calculate the root protection zone, as shown in the following table.</p> <table border="1" data-bbox="1296 754 1955 1011"> <thead> <tr> <th>Tree age</th> <th>Tree vigour</th> <th>Root Protection Zone radius (m)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Young trees</td> <td>Good vigour</td> <td>9 x DBH*</td> </tr> <tr> <td>Poor vigour</td> <td>6 x DBH</td> </tr> <tr> <td rowspan="2">Mature trees</td> <td>Good vigour</td> <td>9 x DBH</td> </tr> <tr> <td>Poor vigour</td> <td>12 x DBH</td> </tr> <tr> <td rowspan="2">Over mature trees</td> <td>Good vigour</td> <td>12 x DBH</td> </tr> <tr> <td>Poor vigour</td> <td>15 x DBH</td> </tr> </tbody> </table> <p>* DBH means Diameter at Breast Height which in NZ is diameter at 1.4m high (the diameter of the stem 1.4m above ground level).</p>	Tree age	Tree vigour	Root Protection Zone radius (m)	Young trees	Good vigour	9 x DBH*	Poor vigour	6 x DBH	Mature trees	Good vigour	9 x DBH	Poor vigour	12 x DBH	Over mature trees	Good vigour	12 x DBH	Poor vigour	15 x DBH
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	Cadwallader Tree Consultancy & NZ Notable Trees Trust	6	3	Delete the term 'Drip line' and change it to 'Root Protection Zone'. Determine the root protection zones of trees based on the diameter of stems as provided for in the AS 4970 2009 'Protection of Trees on Development Sites'.																		

Unique Identifier	Topic / Submitter Name	Submission Number	Statement Number	Decision Requested
<b>RUr.56.2</b>	<b>Landscape Overlay – Earthworks</b>			
	Marsden Park Ltd	2	1	Delete proposed change to RUr.56.2 (iv): the "location of tracks and access roads."
	C I Hurley and I L T Turner	14	1	<b>LATE SUBMISSION</b> We would like to see this change deleted: RUr.56.2, matter of control iv) - the location of tracks and access roads.
<b>RUr.80.2</b>	<b>Subdivision within the Landscape Overlay</b>			
	Marsden Park Ltd	2	2	Delete the addition of new matter of control in RUr.80.2 (v): "the number" [of allotments].
	C I Hurley and I L T Turner	14	2	<b>LATE SUBMISSION</b> We would like to see this change deleted: RUr.80.2, matter of control v) - the number (of lots).
	<b>Consequential Amendments</b>			
	Marsden Park Ltd	2	3	Make all necessary consequential amendments to give effect to the Marsden Park Ltd submissions.

## Address for Service of Submitters

### Plan Change 25 – Technical Fixes

<b>Sub No</b>	<b>Submitter Name</b>	<b>Submitter Address</b>
1	<b>Rex Bloomfield and Glen Rowling</b>	192 Milton Street Nelson 7010
2	<b>Marsden Park Ltd</b>	C/- Viastrada Nelson PO Box 1593 Nelson 7040  Attention: Tony Quickfall
3	<b>Nelson Greypower Association Inc</b>	PO Box 2190 Stoke Nelson  Attention: Errol Millar
4	<b>Terry Holton</b>	60 Chamberlain Street Tahunanui Nelson
5	<b>Dan McGuire</b>	PO Box 582 Nelson
6	<b>Cadwallader Tree Consultancy &amp; NZ Notable Trees Trust</b>	C/- Brad Cadwallader 33 Cropp Place Richmond
7	<b>Christine Grove</b>	21 Franklyn Street Nelson
8	<b>David Brathwaite</b>	17 Champion Terrace Moana Nelson
9	<b>Jaap C Buys</b>	27 Iwa Road The Wood Nelson
10	<b>Jocelyn Smith</b>	PO Box 605 Nelson 7040
11	<b>Lance Edwardes</b>	5 Buxton Square Nelson 7010
12	<b>Chris Appleton</b>	21 Dorothy Annie Way Nelson 7010
13	<b>Colin Kerby</b>	4/33 Golf Road Tahunanui Nelson
14	<b>LATE SUBMISSION C I Hurley and I L T Turner</b>	195 Marsden Valley Road Stoke Nelson