

# **Nelson Resource Management Plan**

## **Proposed Plan Change 06/04**

**(To rezone a 5 metre strip of land adjacent to the Railway Reserve, Stoke from 'Industrial' to 'Residential').**

### **Summary of submissions**

March 2007

# NRMP proposed plan change 06/04

**Industrial Rule**  
27

Insert at the end of INr.27.1 c)  
'Where the site adjoins the 5 metre strip (being part of Lot 34 DP349352 and Lot 34 DP 362586) the site boundary shall be deemed to be the eastern boundary of the said strip for the purposes of measuring daylight angles.'

**Topic Number** 1

Sub ID: 4712 **Submitter:** Chandler, Diane

**Statement#** 1

## Oppose

**Details:**

I oppose the proposed amendment to INr.27

**Reasons:**

The Industrial park is on the western boundary of the landscaping strip and the daylight angles need to be taken from the Industrial park boundary. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve.

On the northern boundary of the Industrial park there is a 10 metre 'no build' zone with strict colour, planting and building requirements. There is no such protection on the boundary with the Railway Reserve. Current buildings could have easily met daylight angles by having car parking at the rear.

The Railway Reserve needs to be protected from Industrial activity by being given protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users, residents and for the future.

**Remedy:**

Daylight angles to be taken from the new residential/industrial boundary i.e. remove proposed amendment to Appendix 15.3.2.

Sub ID: 4714 **Submitter:** Chandler, Lyndon Shane

**Statement#** 1

## Oppose

**Details:**

**Reasons:**

Lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce enjoyment of this popular reserve.

There is a 10m "no build" zone on the northern boundary with strict colour, planting and building requirements. NCC has failed to protect the Railway Reserve in omitting these controls along the boundary with the Railway Reserve.

Refer to the Hearing Report of David Collins 8/5 (95000 Decisions on Nayland Road South) 1998 regarding rezoning of this area from Rural to Residential and Industrial. This clearly provides for greater protection for the railway reserve and residents. The recommendation was that setbacks and buffer strips and bunds be created between the industrial and residential zone. These have been continually eroded by the NCC 'discretionary' limits. We clearly suffer noise pollution from the warehouse factory from our house.

We have been continually told by NCC that our properties and homes will be protected but protection has been continually removed and our homes and lifestyles have been affected. We were here first.

**Remedy:**

The proposed plan change should be amended so that the daylight angles be correctly measured from the new residential/industrial boundary (i.e. along the acoustic fence) in order to reinstate the intentions of the Environment Court.

Sub ID: 4715 **Submitter:** Bolton, Kathleen Susan

**Statement#** 1

## Oppose

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve.

The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve.

The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future.

**Remedy:**

The proposed plan change should be amended so that daylight angles are taken from the new Residential/Industrial boundary i.e. remove proposed amendments to INr.27

Sub ID: 4716 **Submitter:** MacDonald, Alison

**Statement#** 1

## Oppose

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future. The industrial park is not Industrial land bordering Industrial land, it is an industrial park bordering residential reserve and the Railway Reserve deserves that protection.

**Remedy:**

Amend the proposed plan change so that daylight angles are taken from the new Industrial/Residential boundary i.e. remove the proposed amendment to INr.27.

Sub ID: 4717 **Submitter:** Brockelsby, Katheryn **Statement#** 1

**Oppose**

**Details:**

**Reasons:**

The industrial park is on the western boundary of the landscaping strip and the daylight angles need to be taken from the industrial park boundary. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. There is a 10m "no build" zone on the northern boundary (currently bordering horse paddocks) with strict controls over colour, planting and building requirements. NCC has failed to protect the Railway Reserve and residents by not having these controls on the boundary of the Railway Reserve with the industrial park. Current buildings could have easily met daylight angles by having car parking at the rear. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users, residents and for the future.

**Remedy:**

Amend the proposed plan change so that daylight angles are to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to INr.27

Sub ID: 4718 **Submitter:** Wilson, Sheryl **Statement#** 1

**Oppose**

**Details:**

**Reasons:**

Daylight angles will be taken from 5m in to the Railway Reserve - I oppose this. In winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of the reserve. This reserve is a green corridor and needs to be protected from high concrete walls and tall buildings for the enjoyment of all users and for the future. The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended and intended by the Environment Court, along this interface. Concessions to the industrial owners to have the daylight angles 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with this Order when the Resource Consent was issued to Nayland Industrial Park and to subsequently issue resource consents to Industrial land owners along this boundary. The reserve needs to be protected from industrial activity. Daylight angles should be taken from the new Industrial/Residential boundary to ensure protection is given from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Remove amendments to INr.27.

Sub ID: 4719 **Submitter:** Litchwark, Dorothy Elizabeth **Statement#** 1

**Oppose**

**Details:**

**Reasons:**

The proposal mean that daylight angles will be measured from 5m inside the Railway Reserve. I oppose this. IN winter, the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of the reserve. The Railway Reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future. The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended and intended by the Environment Court, along this interface. Concessions to the industrial owners to have daylight angles 5m out is not consistent with the Environment Court Order - as the NCC dispensed with these Orders when the resource consent was issued to Nayland Industrial Park and to subsequent resource consents to Industrial land owners along this boundary. The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from the Industrial/Railway Reserve boundary will ensure that it is recognised and has the right protection from noise high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Amend the proposed amendment to INr.27 so daylight angles are taken from the new Residential/Industrial boundary.

Sub ID: 4720

Submitter: Fulton, Karen Mary

Statement#

1

**Oppose****Details:****Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve.

The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Daylight angles to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to INr.27

Sub ID: 4721

Submitter: Webber, Andrew Stuart Elmslie

Statement#

1

**Oppose****Details:****Reasons:**

To protect users of the Railway Reserve and to the green corridor of the Railway Reserve. The daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve.

The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Daylight angles to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to INr.27.

Sub ID: 4722

Submitter: Dixon, David John &amp; Lyndsay Jane

Statement#

1

**Oppose****Details:****Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve.

The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Daylight angles are to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to INr.27.

Sub ID: 4739

Submitter: Martin, Don

Statement#

1

**Oppose****Details:****Reasons:**

This means that daylight angles are being taken 5m into the Railway Reserve. I oppose this. Daylight angles should be taken from the new Residential/Industrial boundary i.e. the western side of the said 5m landscaping strip.

In winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of this reserve. The railway reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future.

The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended by the Environment Court, along this interface. Concessions to the industrial owners to have the daylight angles taken 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with these Orders when the Resource Consent was issued to Nayland Industrial Park and to subsequent resource consents to industrial land owners along this boundary.

The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from industrial park/reserve boundary, will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all and for the future.

**Remedy:**

Remove the proposed amendment to INr.27 so that daylight angles are taken at the new Industrial/Residential boundary i.e. on the western side of the 5m landscaping strip.

Sub ID: 4740

Submitter: Burke, Judith

Statement#

1

**Oppose****Details:****Reasons:**

This means that daylight angles are being taken 5m into the Railway Reserve. I oppose this. Daylight angles should be taken from the new Residential/Industrial boundary i.e. the western side of the said 5m landscaping strip.

In winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of this reserve. The railway reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future.

The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended by the Environment Court, along this interface. Concessions to the industrial owners to have the daylight angles taken 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with these Orders when the Resource Consent was issued to Nayland Industrial Park and to subsequent resource consents to industrial land owners along this boundary.

The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from industrial park/reserve boundary, will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all and for the future.

**Remedy:**

Remove the proposed amendment to INr.27 so that daylight angles are taken at the new Industrial/Residential boundary i.e. on the western side of the 5m landscaping strip.

Sub ID: 4746

Submitter: Persico, Ann Linda

Statement#

1

**Oppose****Details:****Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Amend the proposed change to INr.27 so that daylight angles are taken from the new Residential/Industrial boundary i.e. remove the proposed amendment to INr.27

Sub ID: 4747

Submitter: Central Self Storage 2 Ltd

Contact: Johns, Alan

Statement#

1

**Oppose****Details:****Reasons:**

The change will have a detrimental effect on the value of the properties in the future. The change does not uphold the Environment Court wishes of a buffer zone.

**Remedy:**

Delete the plan change in its entirety.

Sub ID: 4748

Submitter: Mitchener, Kerry Walter

Statement#

1

**Oppose****Details:**

**Reasons:**

The proposal means that daylight angles are being taken 5m into the Railway Reserve. I oppose this. In the winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces enjoyment of this reserve. The Railway Reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future.

The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended and intended by the Environment Court along this interface. Concessions to the industrial owners to have daylight angles 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with this Order when the resource consent was issued to Nayland Industrial Park and to subsequent resource consents to industrial land owners along this boundary.

The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from the park/reserve boundary, will ensure that it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution - for the enjoyment of all users and for the future.

**Remedy:**

Remove the proposed amendment to INr.27 to have daylight angles taken 5m into the Railway Reserve. Amend the proposal so that daylight angles are taken at the new Residential/Industrial boundary i.e. on the western side of the 5m landscaping strip.

Sub ID: 4749 **Submitter:** Hart, James **Statement#** 1

**Oppose****Details:****Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution - for the enjoyment of all users and for the future.

**Remedy:**

Amend the proposal so that daylight angles are taken from the new Residential/Industrial boundary i.e. remove proposed amendment to INr.27.

Sub ID: 4750 **Submitter:** Sutton's Trading Ltd **Contact:** Sutton, Nigel **Statement#** 1

**Oppose****Details:**

To rezone vested industrial zoned land to residential pushes back further boundaries adding greater restrictions to industrial operation now and in the future. This erosion of industrial zones reduces the availability of industrial zoned land, encourages the encroachment of residential sites leading to further erosion of industrial land.

**Reasons:**

- 1) Industrial land vested to the Council is done entirely with a view to keeping the land zoned as Industrial. To rezone is not in the interest of the industrial landowners as it further inhibits their ability to carry on their rightful business on their land due to encroachment of further restrictions.
- 2) This could be seen as an effort by Council to force the industrial site further out of town by encouraging residential growth within previous zoned industrial areas.
- 3) Long term restriction on businesses purely for the benefits of residents.

**Remedy:**

Retain the Industrial zoning on the land.

Sub ID: 4751 **Submitter:** Adcock & Donaldson Contracting Ltd **Contact:** Adcock, Garry **Statement#** 1

**Oppose****Details:****Reasons:**

The conclusion that "this plan change does not affect any of the plan objectives. For this reason no further assessment is considered necessary" is flawed and shows that the NCC have not "examined the extent to which each objective is most appropriate way to achieve the purposes of the Act". The Act is based on planning for the future. In this case the evaluation report does not look at all the possible repercussions of the change. A far greater and in depth look needs to be undertaken to the other effects the zoning change will have on the Industrial land, that is other than building daylight angles!

**Remedy:**

Delete the plan change entirely. There is no need to change the zoning at all. If it is acceptable to add notes to the plan to define the daylight angles and where to measure them from as this plan change suggests adding after the zoning is changed to Residential, then a new change only noting the daylight angle changes required leaving the land zoned Industrial would be a better option.

Sub ID: 4752 **Submitter:** Gibson Timber Ltd **Contact:** Gibson, Robert John **Statement#** 1

**Oppose**

**Details:**

**Reasons:**

I purchased the land knowing that the land on all four sides was zoned Industrial and that I could develop accordingly. My activities on site have already been constrained in the following ways to the detriment of my business in an effort to consider the residential neighbours and their concerns - Restricted opening hours, height of building openings. We are concerned that the rezoning of this strip may affect not only daylight angles but other issues which may affect us in the future.

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4753 **Submitter:** Eaton, Roy Alexander **Statement#** 1

**Oppose**

**Details:**

I recently purchased property at 11 Packham Crescent. I intend to develop the site as future investment in this district.

**Reasons:**

I am concerned that any development may be restricted if the proposed rezoning takes place i.e. height restrictions, noise restrictions, and that any restrictions imposed could have serious costs associated with development. They could also limit types of business allowed to operate. They would make the site less viable as an investment.

**Remedy:**

Sub ID: 4754 **Submitter:** Nell, Ken **Statement#** 1

**Oppose**

**Details:**

**Reasons:**

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4755 **Submitter:** Nayland Industrial Park Ltd **Contact:** Adcock, Garry **Statement#** 1

**Oppose**

**Details:**

**Reasons:**

Nayland Industrial Park originally vested the land to the Nelson City Council due to access issues to maintain the land given it was blocked with a 3m high concrete panel fence or wall. It was never intended that the zoning be changed. This proposal will affect the clients of Nayland Industrial Park who have purchased the land and have future detrimental effects on their activities.

**Remedy:**

Delete the proposed change entirely. A new plan change could be sought to add in a requirement for daylight angles to apply as if the industrial land was part of the next industrial section.

Sub ID: 4756 **Submitter:** Nevada Properties Ltd **Contact:** Nalder, Alistair **Statement#** 1

**Oppose**

**Details:**

**Reasons:**

The owners of the land will be seriously disadvantaged by this proposed change.

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4757 **Submitter:** Nayland South Industrial Park Group **Contact:** Adcock, Garry **Statement#** 1

**Oppose**

**Details:**

The group of businesses and employees they represent strongly opposed this change as it will create the likely outcome that their earnings and ability to make a living will be affected.

**Reasons:**

The fruit processing members employ over 500 people. The other industry activities together employ a similar number. Future sites are due to employ a further 500 people. That is 1500 people who's livelihoods could be affected by the proposed change. The residential zoning is close enough without bringing it right against the Industrial zone. Daylight angles are a very small factor in the effects of industry on residential boundaries.

**Remedy:**

Delete the proposed change entirely.  
The land should be given to the neighbouring industrial sections with an arrangement that maintenance is carried out by the organisation looking after the Railway Reserve.  
This could be effected by a simple boundary change and you would have no daylight angle issue anymore.

Sub ID: 4758 **Submitter:** Gibbs, Margaret Diane

**Statement#** 1

**Oppose****Details:****Reasons:**

The original town plan involving the Railway Reserve had a 30m rural strip. This gave 30m protection from industrial sites. This has been eroded over time by the City Council allowing changes. In various places and times the 30m was reduced with landscaping requirements and noise barriers at one point being 10m with a barrier from the 'rural' zone. This would not allow building within 10m of the 5m strip. Daylight angles measured to the west of the strip would be closer to the original plan than any of the consents which have eroded this. The residents when they purchased their properties in this area contacted the council to establish what protection they had. This is before any industrial buildings existed. We were given misinformation about a 30m strip and mound and of 'light' industrial activity. Some of this information was supported by the District Plan. Since then the council has allowed industrial development not previously indicated and without informing residents. Residents have faced high expense to establish some protection. The Council now has the opportunity to aid this protection and help the residents whom they represent.

**Remedy:**

Amend the proposed change as follows:  
Change the words "eastern boundary" to read "western boundary"

Sub ID: 4759 **Submitter:** Ikink, Robert Peter

**Statement#** 1

**Oppose****Details:****Reasons:**

When the Railway Reserve was developed it was a wonderful asset for the Nelson community. This area of the reserve had a rural outlook. The District Plan had buffer zones to protect the visual appearance of the area. These buffers have eroded over time through various consent orders but visual appeal has been 'maintained' by landscaping. The high buildings bordering the 5m strip are not visually appealing. If moved back they would lessen their impact and be easier to hide. They will also be safer because the tall buildings and plants have led to icing on the walkway/cycleway. Each consent order has impacted on the area. Some are seen as having minor impact but the overall result is a major impact for users of the reserve and residents bordering it. The 'minor' alteration of where to measure daylight angles has a 'major' impact on the area and leads to a major departure of the original intent of the Plan when the reserve was developed.

**Remedy:**

Amend the proposed change as follows:  
Change the words "eastern boundary" to read "western boundary"

## Decision Industrial Rule 27

Comments

Decision

Reason

**Amendment to Map 29RH** Map 29RH to be amended to show the 5 metre strip of land as being zoned 'Residential'

**Topic Number** 2

Sub ID: 4712 **Submitter:** Chandler, Diane

**Statement#** 2



### Support

**Details:**

I support the rezoning of the land to 'Residential'.

**Reasons:**

To protect users of the Railway Reserve and residents. The rest of the Railway Reserve is zoned 'Residential' - this ensures it receives all the same protection as residential land.  
Users of the Railway Reserve have been disadvantaged as well as residents (NCC Evaluation Report) by having in effect Industrial land bordering Industrial land which is incorrect and gives no protection.  
In 2006 residents proceeded with High Court action against a resource consent issued to Gibson Timber and Wellington Engineering. Residents achieved an out of court agreement to their satisfaction, however, this situation cannot be allowed to happen again, and would never have been an issue if the strip had been correctly zoned 'Residential'.  
The 5 metre strip is vested in NCC as reserve and NCC maintains the area. As part of the Railway Reserve it should be zoned 'Residential'.  
I live opposite the industrial park and have been severely disadvantaged by the Industrial zoning. Prior to purchasing our property we were advised by NCC that the Railway Reserve was Residential and we would be protected from any industrial activity by daylight angles, noise and pollution control etc. NCC, residents and users of the reserve have been shafted.

**Remedy:**

Rezone the 5 metre landscaping strip to 'Residential' as consistent with the remainder of the Railway Reserve.

Sub ID: 4714 **Submitter:** Chandler, Lyndon Shane

**Statement#** 2

### Support

**Details:****Reasons:**

All users of the Railway Reserve have been disadvantaged, not just the residents.  
Please refer to INr.28A.1 which states that no part of any industrial activity shall take place i) within 100m of any residential zone, except where a buffer strip of not less than 20m in width has been set aside which contains a landscaped bund of not less than 3 metres in height. This has not been the case along the Railway Reserve.  
I also refer you to notice of decision on resource consent application 035268 23/12/04 which dispensed with the need to follow rule INr.28A due to an agreement between landowners either side of the boundary between Industrial and Residential zoning. No agreement was reached or even discussed with any residents on the eastern boundary (along the Railway Reserve). Daylight angles should be taken from the new residential/Industrial boundary to protect the enjoyment of all users of the Railway Reserve.

**Remedy:**

Re-zone the strip as 'Residential'

Sub ID: 4715 **Submitter:** Bolton, Kathleen Susan

**Statement#** 2

### Support

**Details:****Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve.  
The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future.  
The industrial park is not industrial land bordering industrial land. It is an Industrial/Residential Reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the land as 'Residential' to have the same zoning as the rest of the Railway Reserve.

Sub ID: 4716 **Submitter:** MacDonald, Alison

**Statement#** 2

### Support

**Details:****Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve.  
The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future.  
The industrial park is not Industrial land bordering Industrial land, it is an industrial park bordering residential reserve and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m landscaping strip to 'Residential'.

Sub ID: 4717 Submitter: Brockelsby, Katheryn Statement# 2

**Support**

**Details:**

**Reasons:**

Rezoning the landscaping strip to 'Residential' will protect users of the Railway Reserve and residents. Both residents and users of the Railway Reserve have been disadvantaged. In 2006 residents proceeded with High Court action against a NCC resource consents issued to Gibson Timber and Wellington Engineering Ltd. The residents achieved an out of court agreement to our satisfaction. However, this situation cannot be allowed to happen again and would not have been an issue if the landscaping strip was correctly zoned as 'Residential'. I am a resident who lives opposite the industrial park. We are severely disadvantaged by the incorrect zoning. Prior to purchasing our section, we went to NCC and were advised that the Railway Reserve was zoned Residential and we would be protected from any industrial activity by daylight angles, noise, pollution controls etc. The NCC, residents and users of the reserve have been shafted.

**Remedy:**

Rezone the landscaping strip as 'Residential'.

Sub ID: 4718 Submitter: Wilson, Sheryl Statement# 2

**Support**

**Details:**

I support rezoning the 5m strip of land on the Railway Reserve from 'Industrial' to 'Residential' (and the extension of designation DN9 which covers the Railway Reserve).

**Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped by NCC as part of the reserve. Failure to have this 5 metre strip of land correctly zoned Residential effectively means the industrial park boundary along this strip is Industrial land bordering Industrial land. A 15m tall concrete wall or building can be built of right. No noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to a 5m strip of land being incorrectly zoned.

**Remedy:**

Rezone the 5m strip as Residential (with reserve designation) to be consistent with the rest of the Railway Reserve.

Sub ID: 4719 Submitter: Litchwark, Dorothy Elizabeth Statement# 2

**Support**

**Details:**

**Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped and by NCC as part of the reserve. This 5m strip is owned, planted and maintained by NCC. Failure to have this 5m strip correctly zoned Residential means the industrial park boundary along this strip has an Industrial/Industrial boundary. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply here due to the strip being currently zoned Industrial'.

**Remedy:**

Rezone the 5m strip to 'Residential' and extend the Designation DN9 as proposed.

Sub ID: 4720 Submitter: Fulton, Karen Mary Statement# 2

**Support**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park/residential reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m strip 'Residential' and extend the designation DN9.

Sub ID: 4721 Submitter: Webber, Andrew Stuart Elmslie Statement# 2

**Support**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park is not Industrial/Industrial - it is Industrial/Residential Reserve and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m strip as 'Residential' and extend the designation DN9.

Sub ID: 4722 **Submitter:** Dixon, David John & Lyndsay Jane **Statement#** 2

**Support**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park does not have an Industrial/Industrial boundary. It is an Industrial/Residential Reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m strip to 'Residential' to be consistent with the rest of the Railway Reserve.

Sub ID: 4739 **Submitter:** Martin, Don **Statement#** 2

**Support**

**Details:**

**Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped by the NCC as part of the reserve. This 5m strip of land is owned, planted and maintained by NCC.

Failure to have this 5m strip of land correctly zoned Residential effectively means the industrial park boundary along this strip has an Industrial/Industrial boundary. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to the 5m strip of land being incorrectly zoned.

**Remedy:**

Rezone the 5m strip of land as Residential (with the reserve designation). This is consistent with the remainder of the Railway Reserve.

Sub ID: 4740 **Submitter:** Burke, Judith **Statement#** 2

**Support**

**Details:**

**Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped by the NCC as part of the reserve. This 5m strip of land is owned, planted and maintained by NCC.

Failure to have this 5m strip of land correctly zoned Residential effectively means the industrial park boundary along this strip has an Industrial/Industrial boundary. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to the 5m strip of land being incorrectly zoned.

**Remedy:**

Rezone the 5m strip of land as Residential (with the reserve designation). This is consistent with the remainder of the Railway Reserve.

Sub ID: 4746 **Submitter:** Persico, Ann Linda **Statement#** 2

**Support**

**Details:**

**Reasons:**

To protect the users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park is not an Industrial/Industrial boundary. It is an Industrial/Residential Reserve Boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m landscaping strip to Residential to be consistent with the rest of the Railway Reserve.

Sub ID: 4747	Submitter: Central Self Storage 2 Ltd	Contact: Johns, Alan	Statement# 2
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**Oppose****Details:****Reasons:**

The change will have a detrimental effect on the value of the properties in the future. The change does not uphold the Environment Court wishes of a buffer zone.

**Remedy:**

Delete the plan change in its entirety.

Sub ID: 4748	Submitter: Mitchener, Kerry Walter	Statement# 2
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**Support****Details:****Reasons:**

I am a user of the Railway Reserve. This land is part of the railway reserve. It is landscaped by the NCC as part of the reserve. This 5m strip of land is owned, planted and maintained by Nelson City Council. Failure to have this 5m strip of land correctly zoned Residential effectively means the industrial park boundary along this strip is zoned Industrial/Industrial. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to the 5m strip of land being incorrectly zoned.

**Remedy:**

Rezone the 5m landscaping strip to Residential. This is consistent with the rest of the Railway Reserve.

Sub ID: 4749	Submitter: Hart, James	Statement# 2
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**Support****Details:****Reasons:**

To protect the users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution - for the enjoyment of all users and for the future. The industrial park is not Industrial/Industrial land, it is industrial park/residential reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m landscaping strip to Residential. This is consistent with the rest of the Railway Reserve.

Sub ID: 4750	Submitter: Sutton's Trading Ltd	Contact: Sutton, Nigel	Statement# 2
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**Oppose****Details:**

To rezone vested industrial zoned land to residential pushes back further boundaries adding greater restrictions to industrial operation now and in the future. This erosion of industrial zones reduces the availability of industrial zoned land, encourages the encroachment of residential sites leading to further erosion of industrial land.

**Reasons:**

- 1) Industrial land vested to the Council is done entirely with a view to keeping the land zoned as Industrial. To rezone is not in the interest of the industrial landowners as it further inhibits their ability to carry on their rightful business on their land due to encroachment of further restrictions.
- 2) This could be seen as an effort by Council to force the industrial site further out of town by encouraging residential growth within previous zoned industrial areas.
- 3) Long term restriction on businesses purely for the benefits of residents.

**Remedy:**

Retain the Industrial zoning on the land.

Sub ID: 4751 **Submitter:** Adcock & Donaldson Contracting Ltd **Contact:** Adcock, Garry **Statement#** 2

**Oppose**

**Details:**

**Reasons:**

The conclusion that "this plan change does not affect any of the plan objectives. For this reason no further assessment is considered necessary" is flawed and shows that the NCC have not "examined the extent to which each objective is most appropriate way to achieve the purposes of the Act". The Act is based on planning for the future. In this case the evaluation report does not look at all the possible repercussions of the change. A far greater and in depth look needs to be undertaken to the other effects the zoning change will have on the Industrial land, that is other than building daylight angles!

**Remedy:**

Delete the plan change entirely.  
There is no need to change the zoning at all. If it is acceptable to add notes to the plan to define the daylight angles and where to measure them from as this plan change suggests adding after the zoning is changed to Residential, then a new change only noting the daylight angle changes required leaving the land zoned Industrial would be a better option.

Sub ID: 4752 **Submitter:** Gibson Timber Ltd **Contact:** Gibson, Robert John **Statement#** 2

**Oppose**

**Details:**

The 5m strip should remain zoned Industrial as there has already been considerable concessions made to the residential neighbours in regard to this industrial area.

**Reasons:**

I purchased the land knowing that the land on all four sides was zoned Industrial and that I could develop accordingly. My activities on site have already been constrained in the following ways to the detriment of my business in an effort to consider the residential neighbours and their concerns - Restricted opening hours, height of building openings. We are concerned that the rezoning of this strip may affect not only daylight angles but other issues which may affect us in the future.

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4753 **Submitter:** Eaton, Roy Alexander **Statement#** 2

**Oppose**

**Details:**

I recently purchased property at 11 Packham Crescent. I intend to develop the site as future investment in this district.

**Reasons:**

I am concerned that any development may be restricted if the proposed rezoning takes place i.e. height restrictions, noise restrictions, and that any restrictions imposed could have serious costs associated with development. They could also limit types of business allowed to operate. They would make the site less viable as an investment.

**Remedy:**

Sub ID: 4754 **Submitter:** Nell, Ken **Statement#** 2

**Oppose**

**Details:**

By changing the zoning, this could potentially affect/restrict those business operating in the nearby industrial area.

**Reasons:**

With industrial property becoming increasingly hard to obtain, changing the zoning near the Railway Reserve could restrict the types of business wishing to operate in the area. This could affect those individuals and businesses who have invested heavily in developing their businesses in the area.  
It looks as though Nelson City Council are trying to change the goal posts half way through the game. Before the land even started to be developed these issues should have been addressed. I believe an Environment Court hearing and negotiations between parties settled on an agreed way forward and this should not be changed, especially since the land is now so developed.  
If individuals have concerns about daylight angles this should have been addressed when the land was rezoned from Rural to Industrial or at the Environment Court stage - not now.  
Will individuals soon be complaining about noise if businesses have to work late or at the weekends to make a buck?

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4755 **Submitter:** Nayland Industrial Park Ltd **Contact:** Adcock, Garry **Statement#** 2

**Oppose**

**Details:**

**Reasons:**

Nayland Industrial Park originally vested the land to the Nelson City Council due to access issues to maintain the land given it was blocked with a 3m high concrete panel fence or wall. It was never intended that the zoning be changed. This proposal will affect the clients of Nayland Industrial Park who have purchased the land and have future detrimental effects on their activities.

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4756 **Submitter:** Nevada Properties Ltd **Contact:** Nalder, Alistair **Statement#** 2

**Oppose**

**Details:**

**Reasons:**

When the land was vested by Nevada it was on the understanding that it would retain its Industrial zoning. The owners of the land will be seriously disadvantaged by this proposed change.

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4757 **Submitter:** Nayland South Industrial Park Group **Contact:** Adcock, Garry **Statement#** 2

**Oppose**

**Details:**

The group of businesses and employees they represent strongly opposed this change as it will create the likely outcome that their earnings and ability to make a living will be affected.

**Reasons:**

The fruit processing members employ over 500 people. The other industry activities together employ a similar number. Future sites are due to employ a further 500 people. That is 1500 people who's livelihoods could be affected by the proposed change. The residential zoning is close enough without bringing it right against the Industrial zone. Daylight angles are a very small factor in the effects of industry on residential boundaries.

**Remedy:**

Delete the proposed change entirely. The land should be given to the neighbouring industrial sections with an arrangement that maintenance is carried out by the organisation looking after the Railway Reserve. This could be effected by a simple boundary change and you would have no daylight angle issue anymore.

Sub ID: 4758 **Submitter:** Gibbs, Margaret Diane **Statement#** 2

**Support**

**Details:**

**Reasons:**

The original town plan involving the Railway Reserve had a 30m rural strip. This gave 30m protection from industrial sites. This has been eroded over time by the City Council allowing changes. In various places and times the 30m was reduced with landscaping requirements and noise barriers at one point being 10m with a barrier from the 'rural' zone. This would not allow building within 10m of the 5m strip. Daylight angles measured to the west of the strip would be closer to the original plan than any of the consents which have eroded this. The residents when they purchased their properties in this area contacted the council to establish what protection they had. This is before any industrial buildings existed. We were given misinformation about a 30m strip and mound and of 'light' industrial activity. Some of this information was supported by the District Plan. Since then the council has allowed industrial development not previously indicated and without informing residents. Residents have faced high expense to establish some protection. The Council now has the opportunity to aid this protection and help the residents whom they represent.

**Remedy:**

Rezone the strip to be Residential.

Sub ID: 4759 **Submitter:** Ikink, Robert Peter **Statement#** 2

**Support**

**Details:**

**Reasons:**

**Remedy:**

Rezone the strip as Residential.

**Decision Amendment to Map**

Comments

Decision

Reason

**Appendix 15**

Add the following text to AP15.3.2

**Topic Number 3**

'NB That in respect of the 5 metre strip which forms part of the Railway Reserve and is contained in part Lot 34 DP349352 and Lot 34 DP362586, measurement shall be taken from the eastern boundary of the said strip (Refer to Rule INr.27.1 c)).'

Sub ID: 4712 **Submitter:** Chandler, Diane

**Statement#** 3

**Oppose**

**Details:**

I oppose the proposed amendment to Appendix 15.3.2

**Reasons:**

The Industrial park is on the western boundary of the landscaping strip and the daylight angles need to be taken from the Industrial park boundary. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve.

On the northern boundary of the Industrial park there is a 10 metre 'no build' zone with strict colour, planting and building requirements.

There is no such protection on the boundary with the Railway Reserve. Current buildings could have easily met daylight angles by having car parking at the rear.

The Railway Reserve needs to be protected from Industrial activity by being given protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users, residents and for the future.

**Remedy:**

Daylight angles to be taken from the new residential/industrial boundary i.e. remove proposed amendment to Appendix 15.3.2.

Sub ID: 4714 **Submitter:** Chandler, Lyndon Shane

**Statement#** 3

**Oppose**

**Details:**

**Reasons:**

Lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce enjoyment of this popular reserve.

There is a 10m "no build" zone on the northern boundary with strict colour, planting and building requirements. NCC has failed to protect the Railway Reserve in omitting these controls along the boundary with the Railway Reserve.

Refer to the Hearing Report of David Collins 8/5 (95000 Decisions on Nayland Road South) 1998 regarding rezoning of this area from Rural to Residential and Industrial. This clearly provides for greater protection for the railway reserve and residents. The recommendation was that setbacks and buffer strips and bunds be created between the industrial and residential zone. These have been continually eroded by the NCC 'discretionary' limits. We clearly suffer noise pollution from the warehouse factory from our house.

We have been continually told by NCC that our properties and homes will be protected but protection has been continually removed and our homes and lifestyles have been affected. We were here first.

**Remedy:**

The proposed plan change should be amended so that the daylight angles be correctly measured from the new residential/industrial boundary (i.e. along the acoustic fence) in order to reinstate the intentions of the Environment Court.

Sub ID: 4715 **Submitter:** Bolton, Kathleen Susan

**Statement#** 3

**Oppose**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future.

**Remedy:**

The proposed plan change should be amended so that daylight angles are taken from the new Residential/Industrial boundary i.e. remove proposed amendments to AP15.3.2

Sub ID: 4716 **Submitter:** MacDonald, Alison **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future.

**Remedy:**

Amend the proposed plan change so that daylight angles are taken from the new Industrial/Residential boundary i.e. remove the proposed amendment to AP15.3.2.

Sub ID: 4717 **Submitter:** Brockelsby, Katheryn **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

The industrial park is on the western boundary of the landscaping strip and the daylight angles need to be taken from the industrial park boundary. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. There is a 10m "no build" zone on the northern boundary (currently bordering horse paddocks) with strict controls over colour, planting and building requirements. NCC has failed to protect the Railway Reserve and residents by not having these controls on the boundary of the Railway Reserve with the industrial park. Current buildings could have easily met daylight angles by having car parking at the rear. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users, residents and for the future.

**Remedy:**

Amend the proposed plan change so that daylight angles are to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to AP15.3.2

Sub ID: 4718 **Submitter:** Wilson, Sheryl **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

Daylight angles will be taken from 5m in to the Railway Reserve - I oppose this. In winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of the reserve. This reserve is a green corridor and needs to be protected from high concrete walls and tall buildings for the enjoyment of all users and for the future. The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended and intended by the Environment Court, along this interface. Concessions to the industrial owners to have the daylight angles 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with this Order when the Resource Consent was issued to Nayland Industrial Park and to subsequently issue resource consents to Industrial land owners along this boundary. The reserve needs to be protected from industrial activity. Daylight angles should be taken from the new Industrial/Residential boundary to ensure protection is given from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Remove amendments to AP15.3.2.



Sub ID: 4719 **Submitter:** Litchwark, Dorothy Elizabeth

**Statement#** 3

**Oppose**

**Details:**

**Reasons:**

The proposal mean that daylight angles will be measured from 5m inside the Railway Reserve. I oppose this. IN winter, the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of the reserve. The Railway Reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future. The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended and intended by the Environment Court, along this interface. Concessions to the industrial owners to have daylight angles 5m out is not consistent with the Environment Court Order - as the NCC dispensed with these Orders when the resource consent was issued to Nayland Industrial Park and to subsequent resource consents to Industrial land owners along this boundary. The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from the Industrial/Railway Reserve boundary will ensure that it is recognised and has the right protection from noise high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Amend the proposed amendment to AP15.3.2 so daylight angles are taken from the new Residential/Industrial boundary.

Sub ID: 4720 **Submitter:** Fulton, Karen Mary

**Statement#** 3

**Oppose**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Daylight angles to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to AP15.3.2.

Sub ID: 4721 **Submitter:** Webber, Andrew Stuart Elmslie

**Statement#** 3

**Oppose**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to the green corridor of the Railway Reserve. The daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Daylight angles to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to AP15.3.2.

Sub ID: 4722 **Submitter:** Dixon, David John & Lyndsay Jane

**Statement#** 3

**Oppose**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Daylight angles are to be taken from the new Residential/Industrial boundary i.e. remove proposed amendment to AP15.3.2.

Sub ID: 4739 **Submitter:** Martin, Don

**Statement#** 3

**Oppose**

**Details:**

**Reasons:**

This means that daylight angles are being taken 5m into the Railway Reserve. I oppose this. Daylight angles should be taken from the new Residential/Industrial boundary i.e. the western side of the said 5m landscaping strip.

In winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of this reserve. The railway reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future.

The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended by the Environment Court, along this interface. Concessions to the industrial owners to have the daylight angles taken 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with these Orders when the Resource Consent was issued to Nayland Industrial Park and to subsequent resource consents to industrial land owners along this boundary.

The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from industrial park/reserve boundary, will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all and for the future.

**Remedy:**

Remove the proposed amendment to AP15.3.2 so that daylight angles are taken at the new Industrial/Residential boundary i.e. on the western side of the 5m landscaping strip.

Sub ID: 4740	Submitter: Burke, Judith	Statement# 3
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**Oppose**

**Details:**

**Reasons:**

This means that daylight angles are being taken 5m into the Railway Reserve. I oppose this. Daylight angles should be taken from the new Residential/Industrial boundary i.e. the western side of the said 5m landscaping strip.

In winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces the enjoyment of this reserve. The railway reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future.

The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended by the Environment Court, along this interface. Concessions to the industrial owners to have the daylight angles taken 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with these Orders when the Resource Consent was issued to Nayland Industrial Park and to subsequent resource consents to industrial land owners along this boundary.

The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from industrial park/reserve boundary, will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all and for the future.

**Remedy:**

Remove the proposed amendment to AP15.3.2 so that daylight angles are taken at the new Industrial/Residential boundary i.e. on the western side of the 5m landscaping strip.

Sub ID: 4746	Submitter: Persico, Ann Linda	Statement# 3
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**Oppose**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future.

**Remedy:**

Amend the proposed change to AP15.3.2 so that daylight angles are taken from the new Residential/Industrial boundary i.e. remove the proposed amendment to AP15.3.2.

Sub ID: 4747	Submitter: Central Self Storage 2 Ltd	Contact: Johns, Alan	Statement# 3
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**Oppose**

**Details:**

**Reasons:**

The change will have a detrimental effect on the value of the properties in the future.  
The change does not uphold the Environment Court wishes of a buffer zone.

**Remedy:**

Delete the plan change in its entirety.

Sub ID: 4748 **Submitter:** Mitchener, Kerry Walter **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

The proposal means that daylight angles are being taken 5m into the Railway Reserve. I oppose this. In the winter the reserve gets icy and dangerous in areas where the sun is blocked. This reduces enjoyment of this reserve. The Railway Reserve is a green corridor and needs to be protected from high concrete walls and tall buildings - for the enjoyment of all users and for the future.  
The NCC have dispensed with and eroded buffers, set-backs and bunds as recommended and intended by the Environment Court along this interface. Concessions to the industrial owners to have daylight angles 5m out is not consistent with the Environment Court Consent Order - as the NCC dispensed with this Order when the resource consent was issued to Nayland Industrial Park and to subsequent resource consents to industrial land owners along this boundary.  
The reserve needs to be protected from industrial activity. The residential zoning and correct daylight angle, taken from the park/reserve boundary, will ensure that it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution - for the enjoyment of all users and for the future.

**Remedy:**

Remove the proposed amendment to AP15.3.2 to have daylight angles taken 5m into the Railway Reserve. Amend the proposal so that daylight angles are taken at the new Residential/Industrial boundary i.e. on the western side of the 5m landscaping strip.

Sub ID: 4749 **Submitter:** Hart, James **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The lack of daylight angles will result in icy and dangerous cycleways and walkways. In winter this will reduce the enjoyment of this popular reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution - for the enjoyment of all users and for the future.

**Remedy:**

Amend the proposal so that daylight angles are taken from the new Residential/Industrial boundary i.e. remove proposed amendment to AP15.3.2

Sub ID: 4750 **Submitter:** Sutton's Trading Ltd **Contact:** Sutton, Nigel **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

To rezone vested industrial zoned land to residential pushes back further boundaries adding greater restrictions to industrial operation now and in the future. This erosion of industrial zones reduces the availability of industrial zoned land, encourages the encroachment of residential sites leading to further erosion of industrial land.

1) Industrial land vested to the Council is done entirely with a view to keeping the land zoned as Industrial. To rezone is not in the interest of the industrial landowners as it further inhibits their ability to carry on their rightful business on their land due to encroachment of further restrictions.  
2) This could be seen as an effort by Council to force the industrial site further out of town by encouraging residential growth within previous zoned industrial areas.  
3) Long term restriction on businesses purely for the benefits of residents.

**Remedy:**

Retain the Industrial zoning on the land.

Sub ID: 4751 **Submitter:** Adcock & Donaldson Contracting Ltd **Contact:** Adcock, Garry **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

The conclusion that "this plan change does not affect any of the plan objectives. For this reason no further assessment is considered necessary" is flawed and shows that the NCC have not "examined the extent to which each objective is most appropriate way to achieve the purposes of the Act". The Act is based on planning for the future. In this case the evaluation report does not look at all the possible repercussions of the change. A far greater and in depth look needs to be undertaken to the other effects the zoning change will have on the Industrial land, that is other than building daylight angles!

**Remedy:**

Delete the plan change entirely.  
There is no need to change the zoning at all. If it is acceptable to add notes to the plan to define the daylight angles and where to measure them from as this plan change suggests adding after the zoning is changed to Residential, then a new change only noting the daylight angle changes required leaving the land zoned Industrial would be a better option.

Sub ID: 4752 **Submitter:** Gibson Timber Ltd **Contact:** Gibson, Robert John **Statement#** 3

**Oppose****Details:****Reasons:**

I purchased the land knowing that the land on all four sides was zoned Industrial and that I could develop accordingly. My activities on site have already been constrained in the following ways to the detriment of my business in an effort to consider the residential neighbours and their concerns - Restricted opening hours, height of building openings. We are concerned that the rezoning of this strip may affect not only daylight angles but other issues which may affect us in the future.

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4753 **Submitter:** Eaton, Roy Alexander **Statement#** 3

**Oppose****Details:**

I recently purchased property at 11 Packham Crescent. I intend to develop he site as future investment in this district.

**Reasons:**

I am concerned that any development may be restricted if the proposed rezoning takes place i.e. height restrictions, noise restrictions, and that any restrictions imposed could have serious costs associated with development. They could also limit types of business allowed to operate. They would make the site less viable as an investment.

**Remedy:**

Sub ID: 4754 **Submitter:** Nell, Ken **Statement#** 3

**Oppose****Details:****Reasons:****Remedy:**

Delete the proposed change entirely.

Sub ID: 4755 **Submitter:** Nayland Industrial Park Ltd **Contact:** Adcock, Garry **Statement#** 3

**Oppose****Details:****Reasons:**

Nayland Industrial Park originally vested the land to the Nelson City Council due to access issues to maintain the land given it was blocked with a 3m high concrete panel fence or wall. It was never intended that the zoning be changed. This proposal will affect the clients of Nayland Industrial Park who have purchased the land and have future detrimental effects on their activities.

**Remedy:**

Delete the proposed change entirely.  
A new plan change could be sought to add in a requirement for daylight angles to apply as if the industrial land was part of the next industrial section.

Sub ID: 4756 **Submitter:** Nevada Properties Ltd **Contact:** Nalder, Alistair **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

The owners of the land will be seriously disadvantaged by this proposed change.

**Remedy:**

Delete the proposed change entirely.

Sub ID: 4757 **Submitter:** Nayland South Industrial Park Group **Contact:** Adcock, Garry **Statement#** 3

**Oppose**

**Details:**

The group of businesses and employees they represent strongly opposed this change as it will create the likely outcome that their earnings and ability to make a living will be affected.

**Reasons:**

The fruit processing members employ over 500 people. The other industry activities together employ a similar number. Future sites are due to employ a further 500 people. That is 1500 people who's livelihoods could be affected by the proposed change. The residential zoning is close enough without bringing it right against the Industrial zone. Daylight angles are a very small factor in the effects of industry on residential boundaries.

**Remedy:**

Delete the proposed change entirely.  
The land should be given to the neighbouring industrial sections with an arrangement that maintenance is carried out by the organisation looking after the Railway Reserve.  
This could be effected by a simple boundary change and you would have no daylight angle issue anymore.

Sub ID: 4758 **Submitter:** Gibbs, Margaret Diane **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

The original town plan involving the Railway Reserve had a 30m rural strip. This gave 30m protection from industrial sites. This has been eroded over time by the City Council allowing changes. In various places and times the 30m was reduced with landscaping requirements and noise barriers at one point being 10m with a barrier from the 'rural' zone. This would not allow building within 10m of the 5m strip. Daylight angles measured to the west of the strip would be closer to the original plan than any of the consents which have eroded this. The residents when they purchased their properties in this area contacted the council to establish what protection they had. This is before any industrial buildings existed. We were given misinformation about a 30m strip and mound and of 'light' industrial activity. Some of this information was supported by the District Plan. Since then the council has allowed industrial development not previously indicated and without informing residents. Residents have faced high expense to establish some protection. The Council now has the opportunity to aid this protection and help the residents whom they represent.

**Remedy:**

Amend the proposed change as follows:  
Change the words "eastern boundary" to read "western boundary"

Sub ID: 4759 **Submitter:** Ikink, Robert Peter **Statement#** 3

**Oppose**

**Details:**

**Reasons:**

When the Railway Reserve was developed it was a wonderful asset for the Nelson community. This area of the reserve had a rural outlook. The District Plan had buffer zones to protect the visual appearance of the area. These buffers have eroded over time through various consent orders but visual appeal has been 'maintained' by landscaping. The high buildings bordering the 5m strip are not visually appealing. If moved back they would lessen their impact and be easier to hide. They will also be safer because the tall buildings and plants have led to icing on the walkway/cycleway. Each consent order has impacted on the area. Some are seen as having minor impact but the overall result is a major impact for users of the reserve and residents bordering it. The 'minor' alteration of where to measure daylight angles has a 'major' impact on the area and leads to a major departure of the original intent of the Plan when the reserve was developed.

**Remedy:**

Amend the proposed change as follows:  
Change the words "eastern boundary" to read "western boundary"

## Decision Appendix 15

Comments

Decision

Reason

**Amendment to Map 29LH** Map 29LH to be amended to show the 5 metre strip of land as being included in Designation DN9. **Topic Number 4**

Sub ID: 4712 **Submitter:** Chandler, Diane **Statement#** 4

### Support

**Details:**

**Reasons:**

**Remedy:**

The 5 metre strip should be consistent with the rest of the Railway Reserve.

Sub ID: 4714 **Submitter:** Chandler, Lyndon Shane **Statement#** 4

### Support

**Details:**

**Reasons:**

All users of the Railway Reserve have been disadvantaged, not just the residents. Please refer to INr.28A.1 which states that no part of any industrial activity shall take place i) within 100m of any residential zone, except where a buffer strip of not less than 20m in width has been set aside which contains a landscaped bund of not less than 3 metres in height. This has not been the case along the Railway Reserve. I also refer you to notice of decision on resource consent application 035268 23/12/04 which dispensed with the need to follow rule INr.28A due to an agreement between landowners either side of the boundary between Industrial and Residential zoning. No agreement was reached or even discussed with any residents on the eastern boundary (along the Railway Reserve). Daylight angles should be taken from the new residential/Industrial boundary to protect the enjoyment of all users of the Railway Reserve.

**Remedy:**

Re-zone the strip as 'Residential'

Sub ID: 4715 **Submitter:** Bolton, Kathleen Susan **Statement#** 4

### Support

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future. The industrial park is not industrial land bordering industrial land. It is an Industrial/Residential Reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezoning the land as 'Residential' to have the same zoning as the rest of the Railway Reserve.

Sub ID: 4716 **Submitter:** MacDonald, Alison **Statement#** 4

### Support

**Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings, pollution - for the enjoyment of all users and for the future. The industrial park is not Industrial land bordering Industrial land, it is an industrial park bordering residential reserve and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m landscaping strip to 'Residential'.

Sub ID: 4717 **Submitter:** Brockelsby, Katheryn

**Statement#** 4

**Support****Details:****Reasons:**

Rezoning the landscaping strip to 'Residential' will protect users of the Railway Reserve and residents. Both residents and users of the Railway Reserve have been disadvantaged. In 2006 residents proceeded with High Curt action against a NCC resource consents issued to Gibson Timber and Wellington Engineering Ltd. The residents achieved an out of court agreement to our satisfaction. However, this situation cannot be allowed to happen again and would not have been an issue if the landscaping strip was correctly zoned as 'Residential'. I am a resident who lives opposite the industrial park. We are severely disadvantaged by the incorrect zoning. Prior to purchasing our section, we went to NCC and were advised that the Railway Reserve was zoned Residential and we would be protected from any industrial activity by daylight angles, noise, pollution controls etc. The NCC, residents and users of the reserve have been shafted.

**Remedy:**

Rezone the landscaping strip as 'Residential'.

Sub ID: 4718 **Submitter:** Wilson, Sheryl

**Statement#** 4

**Support****Details:**

I support rezoning the 5m strip of land on the Railway Reserve from 'Industrial' to 'Residential' (and the extension of designation DN9 which covers the Railway Reserve).

**Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped by NCC as part of the reserve. Failure to have this 5 metre strip of land correctly zoned Residential effectively means the industrial park boundary along this strip is Industrial land bordering Industrial land. A 15m tall concrete wall or building can be built of right. No noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to a 5m strip of land being incorrectly zoned.

**Remedy:**

Rezone the 5m strip as Residential (with reserve designation) to be consistent with the rest of the Railway Reserve.

Sub ID: 4719 **Submitter:** Litchwark, Dorothy Elizabeth

**Statement#** 4

**Support****Details:****Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped and by NCC as part of the reserve. This 5m strip is owned, planted and maintained by NCC. Failure to have this 5m strip correctly zoned Residential means the industrial park boundary along this strip has an Industrial/Industrial boundary. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply here due to the strip being currently zoned Industrial'.

**Remedy:**

Rezone the 5m strip to 'Residential' and extend the Designation DN9 as proposed.

Sub ID: 4720 **Submitter:** Fulton, Karen Mary

**Statement#** 4

**Support****Details:**

**Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park/residential reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m strip 'Residential' and extend the designation DN9.

Sub ID: 4721 **Submitter:** Webber, Andrew Stuart Elmslie

**Statement#** 4

**Support****Details:****Reasons:**

To protect users of the Railway Reserve and to the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park is not Industrial/Industrial - it is Industrial/Residential Reserve and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m strip as 'Residential' and extend the designation DN9.

Sub ID: 4722 **Submitter:** Dixon, David John & Lyndsay Jane

**Statement#** 4

**Support****Details:****Reasons:**

To protect users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park does not have an Industrial/Industrial boundary. It is an Industrial/Residential Reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m strip to 'Residential' to be consistent with the rest of the Railway Reserve.

Sub ID: 4739 **Submitter:** Martin, Don

**Statement#** 4

**Support****Details:****Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped by the NCC as part of the reserve. This 5m strip of land is owned, planted and maintained by NCC.

Failure to have this 5m strip of land correctly zoned Residential effectively means the industrial park boundary along this strip has an Industrial/Industrial boundary. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to the 5m strip of land being incorrectly zoned.

**Remedy:**

Rezone the 5m strip of land as Residential (with the reserve designation). This is consistent with the remainder of the Railway Reserve.

Sub ID: 4740 **Submitter:** Burke, Judith

**Statement#** 4

**Support****Details:****Reasons:**

I am a user of the Railway Reserve. This land is part of the Railway Reserve. It is landscaped by the NCC as part of the reserve. This 5m strip of land is owned, planted and maintained by NCC.

Failure to have this 5m strip of land correctly zoned Residential effectively means the industrial park boundary along this strip has an Industrial/Industrial boundary. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to the 5m strip of land being incorrectly zoned.



**Remedy:**

Rezone the 5m strip of land as Residential (with the reserve designation). This is consistent with the remainder of the Railway Reserve.

Sub ID: 4746

Submitter: Persico, Ann Linda

Statement#

4

**Support****Details:****Reasons:**

To protect the users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution for the enjoyment of all users and for the future. The industrial park is not an Industrial/Industrial boundary. It is an Industrial/Residential Reserve Boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m landscaping strip to Residential to be consistent with the rest of the Railway Reserve.

Sub ID: 4747

Submitter: Central Self Storage 2 Ltd

Contact: Johns, Alan

Statement#

4

**Oppose****Details:****Reasons:**

The change will have a detrimental effect on the value of the properties in the future. The change does not uphold the Environment Court wishes of a buffer zone.

**Remedy:**

Delete the plan change in its entirety.

Sub ID: 4748

Submitter: Mitchener, Kerry Walter

Statement#

4

**Support****Details:****Reasons:**

I am a user of the Railway Reserve. This land is part of the railway reserve. It is landscaped by the NCC as part of the reserve. This 5m strip of land is owned, planted and maintained by Nelson City Council. Failure to have this 5m strip of land correctly zoned Residential effectively means the industrial park boundary along this strip is zoned Industrial/Industrial. A 15m tall concrete wall or building can be built of right. The noise controls, light controls, daylight angles, hour restrictions etc that apply on Residential/Industrial boundaries do not apply to this boundary due to the 5m strip of land being incorrectly zoned.

**Remedy:**

Rezone the 5m landscaping strip to Residential. This is consistent with the rest of the Railway Reserve.

Sub ID: 4749

Submitter: Hart, James

Statement#

4

**Support****Details:****Reasons:**

To protect the users of the Railway Reserve and to protect the green corridor of the Railway Reserve. The reserve needs to be protected from industrial activity - the residential zoning will ensure it is recognised and has the right protection from noise, high concrete walls, tall buildings and pollution - for the enjoyment of all users and for the future. The industrial park is not Industrial/Industrial land, it is industrial park/residential reserve boundary and the Railway Reserve deserves that protection.

**Remedy:**

Rezone the 5m landscaping strip to Residential. This is consistent with the rest of the Railway Reserve.

Sub ID: 4750

Submitter: Sutton's Trading Ltd

Contact: Sutton, Nigel

Statement#

4

**Oppose**

**Details:**

To rezone vested industrial zoned land to residential pushes back further boundaries adding greater restrictions to industrial operation now and in the future. This erosion of industrial zones reduces the availability of industrial zoned land, encourages the encroachment of residential sites leading to further erosion of industrial land.

**Reasons:**

- 1) Industrial land vested to the Council is done entirely with a view to keeping the land zoned as Industrial. To rezone is not in the interest of the industrial landowners as it further inhibits their ability to carry on their rightful business on their land due to encroachment of further restrictions.
- 2) This could be seen as an effort by Council to force the industrial site further out of town by encouraging residential growth within previous zoned industrial areas.
- 3) Long term restriction on businesses purely for the benefits of residents.

**Remedy:**

Retain the Industrial zoning on the land.

Sub ID: 4751	Submitter: Adcock & Donaldson Contracting Ltd	Contact: Adcock, Garry	Statement# 4
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**Oppose****Details:****Reasons:**

The conclusion that "this plan change does not affect any of the plan objectives. For this reason no further assessment is considered necessary" is flawed and shows that the NCC have not "examined the extent to which each objective is most appropriate way to achieve the purposes of the Act". The Act is based on planning for the future. In this case the evaluation report does not look at all the possible repercussions of the change. A far greater and in depth look needs to be undertaken to the other effects the zoning change will have on the Industrial land, that is other than building daylight angles!

**Remedy:**

Delete the plan change entirely.  
There is no need to change the zoning at all. If it is acceptable to add notes to the plan to define the daylight angles and where to measure them from as this plan change suggests adding after the zoning is changed to Residential, then a new change only noting the daylight angle changes required leaving the land zoned Industrial would be a better option.

Sub ID: 4752	Submitter: Gibson Timber Ltd	Contact: Gibson, Robert John	Statement# 4
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**Oppose****Details:**

The 5m strip should remain zoned Industrial as there has already been considerable concessions made to the residential neighbours in regard to this industrial area.

**Reasons:****Remedy:**

Delete the proposed change entirely.

Sub ID: 4753	Submitter: Eaton, Roy Alexander		Statement# 4
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**Oppose****Details:**

I recently purchased property at 11 Packham Crescent. I intend to develop the site as future investment in this district.

**Reasons:**

I am concerned that any development may be restricted if the proposed rezoning takes place i.e. height restrictions, noise restrictions, and that any restrictions imposed could have serious costs associated with development. They could also limit types of business allowed to operate. They would make the site less viable as an investment.

**Remedy:**

Sub ID: 4754	Submitter: Nell, Ken		Statement# 4
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**Oppose****Details:**

By changing the zoning, this could potentially affect/restrict those business operating in the nearby industrial area.

**Reasons:**

With industrial property becoming increasingly hard to obtain, changing the zoning near the Railway Reserve could restrict the types of business wishing to operate in the area. This could affect those individuals and businesses who have invested heavily in developing their businesses in the area.

It looks as though Nelson City Council are trying to change the goal posts half way through the game. Before the land even started to be developed these issues should have been addressed. I believe an Environment Court hearing and negotiations between parties settled on an agreed way forward and this should not be changed, especially since the land is now so developed.

If individuals have concerns about daylight angles this should have been addressed when the land was rezoned from Rural to Industrial or at the Environment Court stage - not now.

Will individuals soon be complaining about noise if businesses have to work late or at the weekends to make a buck?

**Remedy:**

Delete the proposed change entirely.

Sub ID:	4755	Submitter:	Nayland Industrial Park Ltd	Contact:	Adcock, Garry	Statement#	4
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**Oppose****Details:****Reasons:**

Nayland Industrial Park originally vested the land to the Nelson City Council due to access issues to maintain the land given it was blocked with a 3m high concrete panel fence or wall.

It was never intended that the zoning be changed.

This proposal will affect the clients of Nayland Industrial Park who have purchased the land and have future detrimental effects on their activities.

**Remedy:**

Delete the proposed change entirely.

Sub ID:	4756	Submitter:	Nevada Properties Ltd	Contact:	Nalder, Alistair	Statement#	4
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**Oppose****Details:****Reasons:**

When the land was vested by Nevada it was on the understanding that it would retain its Industrial zoning.

The owners of the land will be seriously disadvantaged by this proposed change.

**Remedy:**

Delete the proposed change entirely.

Sub ID:	4757	Submitter:	Nayland South Industrial Park Group	Contact:	Adcock, Garry	Statement#	4
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**Oppose****Details:**

The group of businesses and employees they represent strongly opposed this change as it will create the likely outcome that their earnings and ability to make a living will be affected.

**Reasons:**

The fruit processing members employ over 500 people. The other industry activities together employ a similar number.

Future sites are due to employ a further 500 people. That is 1500 people who's livelihoods could be affected by the proposed change.

The residential zoning is close enough without bringing it right against the Industrial zone.

Daylight angles are a very small factor in the effects of industry on residential boundaries.

**Remedy:**

Delete the proposed change entirely.

The land should be given to the neighbouring industrial sections with an arrangement that maintenance is carried out by the organisation looking after the Railway Reserve.

This could be effected by a simple boundary change and you would have no daylight angle issue anymore.

Sub ID:	4758	Submitter:	Gibbs, Margaret Diane	Statement#	4
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**Support****Details:**

**Reasons:**

The original town plan involving the Railway Reserve had a 30m rural strip. This gave 30m protection from industrial sites. This has been eroded over time by the City Council allowing changes. In various places and times the 30m was reduced with landscaping requirements and noise barriers at one point being 10m with a barrier from the 'rural' zone. This would not allow building within 10m of the 5m strip. Daylight angles measured to the west of the strip would be closer to the original plan than any of the consents which have eroded this. The residents when they purchased their properties in this area contacted the council to establish what protection they had. This is before any industrial buildings existed. We were given misinformation about a 30m strip and mound and of 'light' industrial activity. Some of this information was supported by the District Plan. Since then the council has allowed industrial development not previously indicated and without informing residents. Residents have faced high expense to establish some protection. The Council now has the opportunity to aid this protection and help the residents whom they represent.

**Remedy:**

Rezone the strip to be Residential.

Sub ID: 4759 **Submitter:** Ikink, Robert Peter

**Statement#** 4

**Support****Details:****Reasons:****Remedy:**

Rezone the strip as Residential.

**Submitters:**

First name	Surname	Company	Address1	Address2	Address3	Address4	Submitter No.
Garry	Adcock	Nayland South Industrial Park Group	PO Box 2088	Stoke	Nelson		24
Garry	Adcock	Nayland Industrial Park Ltd	PO Box 2088	Stoke	Nelson		22
Garry	Adcock	Adcock & Donaldson	PO Box 2088	Stoke	Nelson		18
Kathleen	Bolton		43 Fergusson Street	Stoke	Nelson		2
Katheryn	Brocklesby		220 Nayland Road	Stoke	Nelson		5
Judith	Burke		14 Freyberg Avenue	Stoke	Nelson	7011	12
Lyndon	Chandler		728 Main Road	Stoke	Nelson		3
Diane	Chandler		728 Main Road	Stoke	Nelson		1
Lyndsay & David	Dixon		760 Main Road	Stoke	Nelson		10
Roy	Eaton		36 Concord Line	RD2	Wanganui		20
Karen	Fulton		14 Aldinga Avenue	Stoke	Nelson		8
Margaret	Gibbs		6 Sterling Way	Stoke	Nelson		25
Robert	Gibson	Gibson Timber Ltd	22 Echodale Place	Stoke	Nelson		19
James	Hart		439 Main Road	Stoke	Nelson		16
Robert	Ikink		6 Sterling Way	Stoke	Nelson		26
Alan	Johns	Central Self Storage 2 Ltd	8 Hillplough Heights	Richmond			14
Dorothy	Litchwark		480 Main Road	Stoke	Nelson		7
Don	Martin		11 Hoult Crescent	Monaco	Nelson		11
Alison & Grant	McDonald		116 The Ridgeway	Stoke	Nelson		4
Kerry	Mitchener		17 Keats Crescent	Stoke	Nelson		15
Alistair	Nalder	Nevada Properties Ltd	c/- Summit Real Estate	506 Main Road	Stoke	Nelson	23
Ken	Nell		27 Tyree Drive	Stoke	Nelson		21
Ann & Salvi	Persico		37 Kipling Crescent	Stoke	Nelson		13
Nigel & Christine	Sutton	Sutton's Trading Ltd T/A Stoke Garden & Landscapes	59 Saxton Road	Stoke	Nelson		17
Andrew & Christine	Webber		5 Sterling Way	Stoke	Nelson		9
Sheryl	Wilson		8 Somerset Terrace	Stoke	Nelson		6