

26 April 2007

The Chairman and Councillors  
Environment

## **OPERATIVE PLAN CHANGES**

### **1. Reason for report**

- 1.1. To formally approve three proposed plan changes to the Nelson Resource Management Plan that have completed their statutory processes, and to set a date on which they become operative.
- 1.2. The three plan changes are:
  - a) Nelson Resource Management Plan Change 04/01 (Freshwater)
  - b) Nelson Resource Management Plan Change 05/03 (Stoke Valley Holdings Ltd)
  - c) Nelson Resource Management Plan Change 05/04 (Solitaire Investments Ltd)

### **2. Background**

- 2.1. The four appeals on the Freshwater Plan Change were resolved by consent order with the agreement of the parties, and in consultation with the Council's References Committee. These consent orders have now been signed off by the Environment Court.
- 2.2. There were no appeals on the Council's decisions for the other two plan changes (Solitaire Investments Ltd and Stoke Valley Holdings Ltd).
- 2.3. Clause 17(1) of the First Schedule of the Resource Management Act requires a local authority to approve plan changes once the full statutory process is complete. The approval is given effect to in full by affixing the seal of the Council to the approved documents (Clause 17(3) of the First Schedule).
- 2.4. The Council is required under Clause 20(1) to determine a date on which the approved plan changes are operative.

### **3. Consultation**

- 3.1. All consultation required by the RMA has now been completed.

### **4. Significance of Decision**

- 4.1 Formally approving the plan changes, and setting the date on which these plan changes become operative, is not a significant decision under the Council's Significance Policy.

**5. Staff recommendation**

- 5.1 That the Committee approve three proposed plan changes to the Nelson Resource Management Plan, and set a date, 5 June 2007, on which the three plan changes become operative.

**6. Delegations Register reference**

- 6.2 91. *Power to determine procedural matters relating to the preparation, review, or changes to a plan or policy statement under the Resource Management Act, 1991.*

**7. Recommendation to Council**

***THAT the Council approve, in terms of clause 17(1) of the First Schedule of the Resource Management Act 1991:***

- a) Nelson Resource Management Plan Change 04/01 (Freshwater), and*
- b) Nelson Resource Management Plan Change 05/03 (Stoke Valley Holdings Ltd), and*
- c) Nelson Resource Management Plan Change 05/04 (Solitaire Investments Ltd)*

***AND THAT the Council resolve to make***

- a) Nelson Resource Management Plan Change 04/01 (Freshwater), and*
- b) Nelson Resource Management Plan Change 05/03 (Stoke Valley Holdings Ltd), and*
- c) Nelson Resource Management Plan Change 05/04 (Solitaire Investments Ltd)*

***operative on 5 June 2007 under clause 20(1) of the First Schedule of the Resource Management Act 1991.***

V R Altmants  
**Chief Executive**  
DB: