

**MINUTES OF THE RESUMED MEETING OF THE HEARINGS COMMITTEE TO HEAR AND CONSIDER SUBMISSIONS TO THE PROPOSED PLAN CHANGES 05/03 AND 05/04 HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON TUESDAY 19 DECEMBER 2006 COMMENCING AT 11.AM**

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PRESENT: His Worship the Mayor (P Matheson – Chairperson) and Councillor E Davy

IN ATTENDANCE: Tony Quickfall (Consultant Planner), Martin Workman (Manager Environmental Policy) and Richard Palmer (Administration Adviser)

APOLOGIES:

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## **1.0 PUBLIC EXCLUDED MINUTES**

### **1.1 Exclusion of the Public**

Recommendation

***THAT the public be excluded from the following part of the proceedings of this meeting in accordance with section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the exclusion of the public from that part of the meeting is necessary to enable the Council to deliberate in private on its decision.***

*(i) Decision - Proposed Change 05/03 and 05/04 to the Nelson Resource Management Plan*

*Reason:*

*A right of appeal lies to the Environment Court against the decision.*

Note: No record was kept of the matters which were discussed by the Committee with the public excluded.

His Worship the Mayor/Davy

Carried

### **1.2 Re-admittance of the Public**

Recommendation

***THAT the public be re-admitted to the meeting.***

Decision

***THAT pursuant to clause 29(4) of the first Schedule to the Resource Management Act 1991, Plan Change 05/03 and 05/04 as set out within the “Statutory Form” within Volume 1 of the request by Solitaire Investments Ltd and Volume 1 of the Stoke Valley Holdings Ltd, as prepared by Staig and Smith dated February 2006 (reference 8361 and 8360 respectively), be adopted subject to the following amendments:***

*i) Within the new schedule E-Ngawhatu Residential Area clause E.2 references to “generally in accordance” be changed to “generally accord”.*

- ii) *In respect of Plan Change 05/04 (Solitaire Investments Ltd) the proposed amendments to rule RUr.54 and RUr.56, as set out within clauses 3.16 and 3.17 of the relevant Statutory Form, be deleted.*
- iii) *All areas indicated as “possible reserves” on Plan 3 of Change 05/03 and Change 05/04 as be shown as “reserves”, except for the triangular “possible reserve” near the southern boundary of the land owned by Solitaire Investments Ltd.*
- iv) *All areas shown as reserves and possible reserves on Plan 3 of Change 05/03 and 05/04, with the exception of the triangular possible reserve near the southern boundary of the land owned by Solitaire Investments Ltd, be zoned “open space and recreation” and given the appropriate notation within the Neighbourhood Park Schedule (OSs.5) of the Nelson Resource Management Plan.*
- v) *The proposed schedule E.2 relating to Plan Change 05/03 and 05/04 be amended by replacing (i) and (ii) with the following:*
- i. *Activities and subdivision in the Ngawhatu Residential Area as zoned are subject to the standards, conditions, and activity status of the Residential Zone, the Suburban Commercial Zone, and the Rural Zone (as it applies to the High Density Small Holdings area) except where specific standards apply in Schedule E.2.*
- ii. *In respect of subdivision development infrastructure layout shall generally accord with the outline development plan within Schedule E.*
- iii. *Ngawhatu Road is noted as a Collector Road in the roading hierarchy. Ngawhatu Road and the roads connecting with it generally meet a 10m wide standard, with the exception of some pinch points to address the issue of protecting heritage trees, and a single threshold treatment at the entrance of the subdivision.*
- Subdivision and development within the valleys served by Ngawhatu Road will not necessitate and upgrade of the physical formation of Ngawhatu Road as its existing formation is sufficient to carry the full future growth of traffic from the valleys served by Ngawhatu Road and to fulfil its function as a Collector Road. As such, any future subdivision development within the areas shown in the outline Development Plan in Schedule E will be deemed to comply with roading standards by maintaining the existing formation of Ngawhatu Road.*
- vi) *Appendix E.3 relating to Plan Changes 05/03 and 05/04 be amended to read:*
- “E.3 Discretionary Activities*
- Activities that contravene any general rule E.2(ii), E.2(iii), or E.2(iv).”*
- vii) *The amendment to rule REr107.2 and rule REr107.4 proposed by Plan Changes 05/03 and 05/04 be modified to add the following as a new matter of control and a new assessment criteria:*

*“Within the Ngawhatu Residential area (Schedule E) provision of adequate cycle and or pedestrian routes and linkages, including both connections within the subdivision and connections between the subdivision and adjacent land to the north and west”.*

- viii) *Planning Maps A2.1 and A2.2 be amended to show Ngawhatu Road as a Collector Road.*
- ix) *Plan 3 relating to Plan Change 05/03 and Plan Change 05/04 be amended by replacing “Fault Line Overlay” in the legend with “Fault Hazard Overlay”.*

*AND THAT* *the reasons for the decision be as set out within the report of Mr T Quickfall dated 18 December 2006 or that of Mrs J McNae number 8360-8361 as the case might be;*

*AND THAT* *the Council initiate a variation to the proposed Air Quality Plan to delete the words “other than a privately initiated change” from the definition of “urban area” (clause A2-86);*

*AND THAT* *it be recommended to the Community Services Committee that an investigation be undertaken to determine whether it would be appropriate for the Council to acquire the Ngawhatu Pool as a Community Asset.*

The meeting closed at 12noon.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

\_\_\_\_\_ CHAIRPERSON \_\_\_\_\_ DATE