

18 February 2008

The Mayor and Councillors
Council

OPERATIVE PLAN CHANGE 06/01

1. Reason for report

- 1.1. To formally approve the private plan change to the Nelson Resource Management Plan (06/01 Catal Developments Ltd) that has completed its statutory process, and to set a date on which it becomes operative.

2. Background

- 2.1. Private Plan Change 06/01 (Catal Developments Ltd) proposed to amend the existing Industrial Zone retailing rule INr.21 to provide for large format retail and trade outlets of no less than 500m² and associated activities to a maximum of 30,000m². A number of other amendments were requested to ensure that the proposed provision is fully integrated into the existing planning framework.
- 2.2. A hearing was held before three Commissioners on 26-29 June and 3-4 July 2007 and the Commissioners' recommendations were adopted by Council on 27 September 2007. This decision was publicly advertised on 6 October 2007.
- 2.3. One appeal was received on 19 November 2007 from Future Nelson Inc. This appeal was subsequently withdrawn by the appellant on 21 January 2008.
- 2.4. Clause 17(1) of the First Schedule of the Resource Management Act 1991 (RMA) 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).
- 2.5. The Council is required under Clause 20(1) of the First Schedule (RMA) to determine a date on which the approved plan change becomes operative.

3. Consultation

- 3.1. All consultation required by the Resource Management Act 1991 has now been completed.

4. Significance of Decision

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

5. Staff recommendation

- 5.1. That the Council approve Plan Change 06/01 (Catal Developments Ltd) to the Nelson Resource Management Plan, and set a date, 31 March 2008, on which the Plan Change becomes operative.

6. Recommendation

THAT the Council approve, in terms of Clause 17(1) of the First Schedule of the Resource Management Act 1991, Nelson Resource Management Plan Change 06/01 (Catal Developments Ltd)

AND THAT the Council resolve to make Nelson Resource Management Plan Change 06/01 (Catal Developments Ltd) operative on 31 March 2008 under Clause 20(1) of the First Schedule of the Resource Management Act 1991.

V R Altmants
Chief Executive
PH:MW