

18 January 2007

The Chairman and Councillors
Environment Committee

APPOINTMENT OF HEARING COMMITTEE: PLAN CHANGE 05/05, SOLITAIRE 2

1. Reason for report

- 1.1. To appoint a Hearing Committee to hear and determine submissions and further submissions on Plan Change 05/05 (Solitaire 2).

2. Background

- 2.1. Plan Change 05/05 is a private plan change requested by Solitaire Investments Ltd, to rezone land from Rural to Residential.
- 2.2. His Worship the Mayor and Councillor Davy were the members of the Committee which heard the submissions in respect of Plan Change 05/04 (Solitaire 1). As this plan change relates to the same locality it would seem appropriate that the same Committee hear it.

3. Consultation

- 3.1. The plan change was put out for public submission from 28 October 2006 to 1 December 2006. It attracted four initial submissions.
- 3.2. It is currently out for further submissions, which close on 23 February 2007.

4. Funding

- 4.1 As a private plan change the cost of processing the change is at the applicant's expense.

5. Views and preferences of interested or affected persons

- 5.1. The plan change has been subject to the First Schedule Resource Management Act 1991 (RMA) consultation processes. Those people and agencies with an interest in the plan change have had the opportunity to make submissions.

6. Significance of Decision

- 6.1. The decision is not significant in terms of the Council's significance policy.

7. Options

- 7.1. Option 1: Appoint a Hearing Committee of Councillors.

Comment: There are no reasons why the submissions and further submissions on the plan change cannot be heard and determined by a Committee of Councillors. There are no technical matters that require external expertise.

- 7.2. Option 2: Appoint a Hearing Commissioner

Comment: There are no technical matters that require external expertise. There is no issue of conflict of interest that would prevent the Council from carrying out its RMA functions.

8. Staff recommendation

- 8.1. That a Hearing Committee be established to hear and determine the submissions and further submissions to Plan Change 05/05 (Solitaire 2).

9. Delegations Register reference

- 9.1. 87: *Power to hear, consider and determine submissions on policy issues arising from the preparation, operation, change or review of the Nelson Resource Management Plan...*

10. Recommendation

THAT His Worship the Mayor P Matheson and Councillor E Davy be appointed as a Hearing Committee to hear and determine submissions on Plan Change 05/05 (Solitaire 2);

AND THAT the Committee be delegated the power to determine the submissions heard and to make a final decision on the change;

AND THAT the Hearing Committee elect its own Chairperson.

V R Altmants
Chief Executive
KM:MW