

Report No:	REP11-06-02
File No:	R430
Date:	17 May 2011
Decision Required	

REPORT SUMMARY

Report to: Environment & Planning Committee
Meeting Date: 17 May 2011
Report Author: Steve Markham, Policy Manager
Subject: **Approval and operative commencement of the residual part of Change 1 Tasman Resource Management Plan (Cultural Heritage Area deletion)**

EXECUTIVE SUMMARY

The report advises on the administrative need to approve and make operative, a residual part of Change 1 relating to the deletion of the Cultural Heritage Area, following the withdrawal of appeals against this former variation.

RECOMMENDATION/S

That the residual parts of Change 1 (formerly Variation 1) to the Plan relating to the deletion of the Cultural Heritage Area be approved to commence as operative on the date of notification of Update 40 ((25 June 2011), noting that this allows the Area Maps in Volume 2 to become operative.

DRAFT RESOLUTION

THAT the Environment & Planning Committee receives the Report EP11-06-02 and:

- 1. Approves the residual part of Change 1 to Part 2 of the Tasman Resource Management Plan (formerly Variation 1) to commence as operative from the date of notification of TRMP Update 40 (expected to be 25 June 2011**
- 2. Notes that this operative change enables the Area Maps to become operative provisions except for parts of some maps where other changes or former variations remain proposed at that date.**

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Subject: **Approval and operative commencement of the residual part of Change 1 Tasman Resource Management Plan (Cultural Heritage Area deletion)**

1. Purpose

The report advises on the administrative need to approve and make operative, a residual part of Tasman Resource Management Plan (TRMP) Change 1 relating to the deletion of the Cultural Heritage Area, following the withdrawal of appeals against this former variation.

2. Background

Following the notification of Variation 1 on 28 February 1997 the special area known as the Cultural Heritage Area was deleted from the then proposed TRMP along with a number of other amendments. Submissions were made and following decisions in 2000 three appeals were lodged on this deletion, by three iwi trusts -Te Atiawa, Ngati Rarua and Ngati Tama.

In 2001 these appeals were first mediated. Agreement was reached that the information known on archaeological sites was inadequate to support the CHA, and in 2002-3 the Council part funded an upgrade to the information. Further research was carried out to understand the pattern of sites in both 2005 and 2007 by Council with the iwi agreement. Following this, agreement was reached in 2008 that to address site management issues required a fresh Plan amendment and so further work was carried out on cultural values of sites in early 2009.

Drafting of a change to the TRMP with consultation with both iwi and all affected landowners took place in 2009 and Change 16 was notified in September 2009. With a heritage site management regime now in the Plan having the broad support of iwi and statutory agencies, Council sought the withdrawal of the three appeals in 2010. This was finally achieved in September 2010.

3. Present Situation

For the time since November 2008 when Parts 1 and 2 of the TRMP including the Planning Maps commenced as operative, Council was unable to include the Area Maps as being operative, because of the outstanding appeals seeking a previous special area to be reinstated. This is despite Change 16 dealing with the issues and introducing fresh special maps.

Now with the withdrawal of these appeals, the Area Maps can now be approved to be part of the operative content of Part 2. Some Area Maps will be operative in part, as special areas on these are subject to changes or variations in progress affecting the map.

4. Significance

This is not a significant decision under the Council's Significance Policy.

5. Recommendation

It is recommended that the Committee approve the remainder of Change 1, previously Variation 1, relating to the deletion of the Cultural Heritage Area, to become operative at the next TRMP update notification (25 June 2011). This allows the Area Maps to become operative except where current proposed changes (Changes 3, 10, 20, 21) or former variations (Variation 71) are not yet approved.

6. Draft Resolution

THAT the Environment & Planning Committee receives the Report EP11-06-02 and:

- 1. Approves the residual part of Change 1 to Part 2 of the Tasman Resource Management Plan (formerly Variation 1) to commence as operative from the date of notification of TRMP Update 40 (expected to be 25 June 2011)**
- 2. Notes that this operative change enables the Area Maps to become operative provisions except for parts of some maps where other changes or former variations remain proposed at that date.**

Steve Markham
Policy Manager