



MEMORANDUM TO THE GENERAL MANAGER PLANNING AND DEVELOPMENT
WITHDRAWAL OF PROVISIONS FROM STAGE 3 OF THE PROPOSED DISTRICT PLAN
PURSUANT TO CLAUSE 8D OF THE FIRST SCHEDULE OF THE RMA

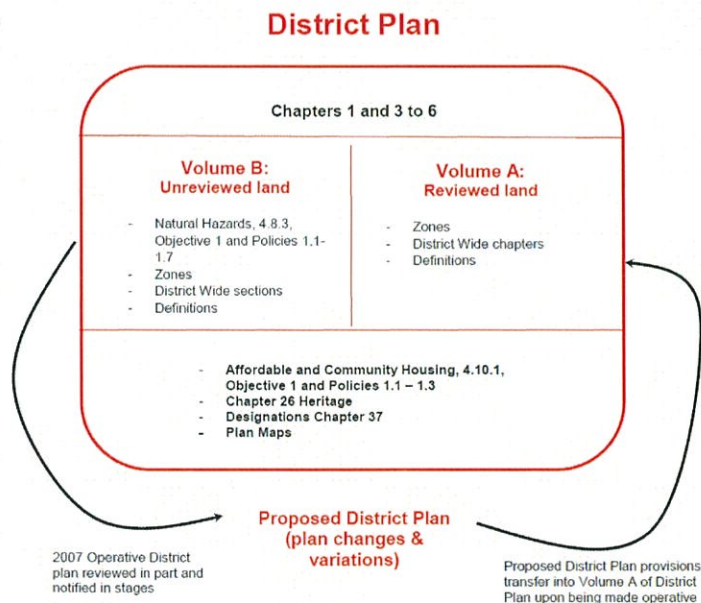
MEMO FROM: Sarah Picard – Senior Policy Planner

MEMO DATED: 15 March 2020

SUBJECT: Stage 3 Wāhi Tūpuna proposal – Volume B .

DISCUSSION:

The Council has undertaken the review of the 2007 District Plan by way of a series of plan changes (referred to as the Proposed District Plan (**PDP**)), notified in a series of stages from August 2015. While the strategic chapters 3 to 6 apply across the whole District, there are some zone chapters of the Operative District Plan that are yet to be reviewed. The district plan is therefore structured into two volumes, shown in the following diagram:



Volume A consists of the zone and district wide chapters notified as plan changes (referred to as the PDP), that have worked their way through the RMA Schedule 1 process and been made operative pursuant to clause 17 of Schedule 1 of the RMA. Volume B consists of the zone chapters, or specific areas not yet reviewed or notified as the PDP, and all relevant parts of the 2007 District Plan district wide chapters that need to remain to regulate district wide issues as they relate specifically to that Volume B zone. For the most part, the zone provisions remaining in Volume B, are a number of Special Zones.

Proposed Wāhi Tūpuna Overlays were notified in Stage 3 over various parts of the District. These overlays operate as rules, and when located on the Plan Maps, trigger the application of

Chapter 39, Wāhi Tūpuna. The land covered by the notified Overlays includes some small parts of land, that has not yet been subject to review in terms of the appropriate zone and District-Wide provisions, and remains in Volume B of the District Plan. As can be seen in the diagram above and the explanation of Volumes A and B of the district plan, the notified PDP District Wide chapters, only apply to the PDP and Volume A land. The strategic chapters of the PDP, including Chapter 5, Tangata Whenua, do apply, and continue to apply after this recommended withdrawal.

The Volume B zones that the wāhi tūpuna overlay intersect with are parts of the following Volume B zones:

- Quail Rise Special Zone
- Remarkables Park Special Zone
- Shotover Country Special Zone
- Mt Cardrona Station Special Zone
- Kingston Village Special Zone
- The High Density Residential Zone located on the western edge of Gorge Road.

The extent of these areas are shown in the maps attached as Appendix 1 of the memo.

At the present time the 2007 District Plan district wide chapters regulate district wide issues as they relate specifically to Volume B land (and zones). The notification of the wāhi tūpuna overlays over Volume B land, has the potential to create significant uncertainty for land owners, plan users and decision makers.

Overall, it is considered preferable to remove the uncertainty created by the current situation by removing the notified wāhi tūpuna overlay from these areas of volume B land. Consideration of these wāhi tūpuna areas as identified by Kāi Tahu can occur at the time that the Volume B land is reviewed, and notified into the PDP at a future time.

Council has advised Kāi Tahu of their intention to withdraw these small parts of the wāhi tūpuna overlays, and that they will be reconsidered in future stages of the plan review. Kāi Tahu advised they had no issues with this approach.

RECOMMENDATION

That the Wāhi Tūpuna Overlay be withdrawn from the Stage 3 PDP plan maps, only where the Overlay is located over the following zones of the Operative District Plan,:

- Quail Rise Special Zone
- Remarkables Park Special Zone
- Shotover Country Special Zone
- Mt Cardrona Station Special Zone
- Kingston Village Special Zone
- The High Density Residential Zone located on the western edge of Gorge Road.

As shown in the maps in Appendix 1.

AUTHORISATION FOR WITHDRAWAL TO BE MADE TO THE PROPOSED DISTRICT PLAN PURSUANT TO CLAUSE 8D OF SCHEDULE 1 OF THE RMA

DELEGATED AUTHORITY

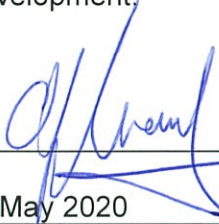
Schedule 1, Clause 8D of the Resource Management Act 1991 provides the local authority the power to withdraw its proposal to prepare, change or vary the Proposed District Plan at any time before the Proposed District Plan is approved by the local authority.

By Council resolution the General Manager Planning and Development has been delegated authority to withdraw a proposed plan.

AUTHORISED BY:

Tony Avery, General Manager Planning and Development.

SIGNATURE OF AUTHORISER:



DATE OF AUTHORISATION:

19 May 2020