

Rakaia Huts

Plan Change 26 District Plan Amendments



Proposed Changes to Regulations Governing the Area

The focus of Plan Change 26 is **not** on “preservation” (do not touch the land), but rather on conservation, so that the land can be used and the history of the area recorded. In summary, the key changes to the District Plan shall include:

- ‘Archaeological Site’ identified on Planning Map 133 extended to the south towards the Rakaia River to encompass residential properties either side of Pacific Drive;
- In residential areas, a range of activities **not** currently exempted from the earthworks rules shall become exempt . This includes:
 - Maintenance of gardens, lawns or public spaces;
 - Sowing, tending or cultivating crops, grazing, or planting trees;
 - Digging post holes;
 - If the activity is a **Permitted Activity** (if the soil has previously been disturbed by cultivation, planting, building or earthworks and does not go any deeper than 20cm)
- Clarify that consent shall not be required for earthworks associated with a range of activities, if those works are in areas where the soil has been previously disturbed and the works do not go below a depth of 20cm (**Permitted Activity**);
- In the Township, resource consent status changed from ‘**Restricted Discretionary Activity**’ to ‘**Controlled Activity**’ for any activities which require a resource consent for soil disturbance (**see explanation in Box below**);
- Require resource consent before archaeological or cultural artifacts or objects are disturbed, destroyed or damaged (currently, consent is only required **after** artifacts or objects are disturbed, damaged or, destroyed);
- Policies which provide financial assistance to landowners requiring resource consent for works affecting heritage sites and Silent File Areas to also include Wāhi Taonga Management Areas & Sites.
- Amend Planning Map 133 to show site C39 as 2 distinct Wāhi Taonga Management Areas; C39(a) (SDC Campground, foreshore cliff area and cultivated paddock), & C39 (b) (residential area);
- Advice notes clarifying that an Archaeological Authorities from the NZ HPT is required for any works in any archaeological site, regardless of whether a resource consent is required or not;

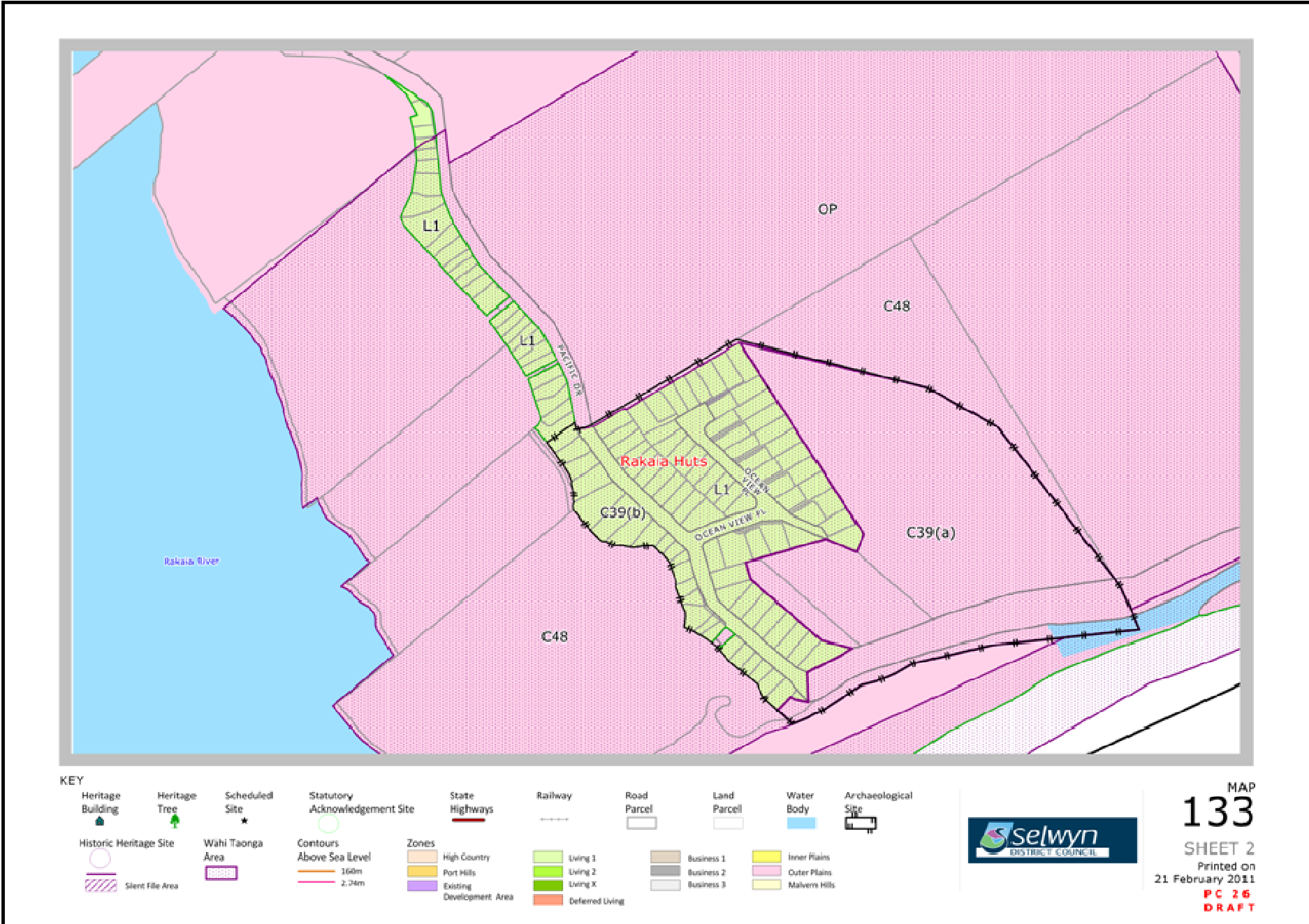
Additional measures that will be initiated to implement the Conservation Management Plan, but which are not subject to Plan Change 26 include:

- Streamlining the Resource Management Act and Historic Places Act processes;
- Providing partially completed resource consent and archaeological authority applications;
- Developing standardized resource consent conditions in conjunction with the NZ HPT;
- Raising the awareness, understanding and appreciation for the archaeological and cultural values of the area, in conjunction with a range of stakeholders.
- Amended LIM notes on property files in the area subject to Plan Change 26. The notes will:
 - Note that the property is within a Wāhi Taonga Management Area and an archaeological site;
 - That works may require an Archeological Authority from the NZHPT & may require a resource consent;
 - Clarify that while consent may be required, it shall be a **Controlled Activity**, and as such resource consent cannot be declined (although conditions can be imposed).

Draft Plan Change 26

Plan Change 26 implements Councils responsibilities under the Resource Management Act 1991, which directs Council to ‘*recognize and provide for the protection of historic heritage from inappropriate subdivision, use and development*’ (section 6(f)). This duty requires Council to identify known archaeological and cultural sites in the District Plan and protect them from subdivision, use and development through various methods.

Plan Change 26 will implement regulatory tools identified in the Rakaia Huts Conservation Management Plan. Changes to the District Plan are designed to ensure development in the area is undertaken in a manner that enables any archaeological material to be recorded, while at the same time easing any regulatory burdens residents may face due to the site being an archaeological area.



Existing District Plan Map 133 (2)

Restricted Discretionary Activity	Controlled Activity
Council can <u>refuse</u> to grant resource consent.	Council <u>must</u> grant resource consent.
Conditions can be imposed on consent, only in the matters within which the Council has discretion.	The Council may only impose conditions relating to those matters specified.
Restricted discretionary activity status applies where the Council has restricted the exercise of its discretion to those matters specified in the Plan.	Controlled activity status shall comply with any standards and terms specified in the Plan and will be assessed according to those matters in the District Plan over which the Council has reserved control.

Proposed Process from Here:

- Friday the 20th of May 2011;– Comments on Draft Plan Change 26 to be back to Council by 5pm;
- Monday the 23rd May – 7th June 2011;– Comments assessed – Draft Plan Change may be amended based on comments;
- 14th of June 2011;– Report to Council recommending that Proposed Plan Change 26 be formally notified in accordance with the RMA – Submissions period open;
- 15th July 2011;– Submission period closes;
- Late July/Early August 2011;– Summary of submissions notified – Further Submissions period commences;
- Mid to late August 2011;– Further Submissions period closes (10 working days after summary of submissions first notified)
- Mid to Late September 2011;– Hearing
- Late 2011;– Plan Change Operative (unless appeals on Plan Change 26 are lodged)