
REPORT 946511

PLAN CHANGE 15 – HERITAGE

1. Purpose of Report

- 1.1. To seek Council's approval of Plan Change 15 – Heritage (the Plan Change) to the Nelson Resource Management Plan (the Plan) and approval to publicly notify the decision and date on which the Plan Change will become operative as required by Clause 10, 11 and 20 of Schedule 1 of the Resource Management Act (RMA). Refer Attachment 1 for a copy of Plan Change.

2. Recommendation

THAT the minutes of the Hearing Committee to Plan Change 15 – Heritage as shown in Attachment 2 to Report 946511, be received;

AND THAT Plan Change 15 – Heritage to the Nelson Resource Management Plan, as shown in Attachment 1 to Report 946511, be adopted for the reasons outlined in Section 4.5 of this Report;

AND THAT Plan Change 15 – Heritage to the Nelson Resource Management Plan as shown in Attachment 1 to Report 946511 be made operative on 9 August 2010;

AND THAT the decision and operative date for Plan Change 15 - Heritage be publicly notified together and at least five working days prior to the operative date.

3. Background

- 3.1. The Heritage Inventory Project began in June 2009 and is being undertaken by a team of consultants headed by Mr Ian Bowman. The scope of the Heritage Inventory Project is identified in the project's scope of services, and includes:
- Recommending a methodology for the identification and assessment of heritage resources. This included a thematic assessment element; and
 - Identifying and assessing the value of any additional heritage resources requiring protection; and
 - Recommending any additional listings in the Nelson Resource Management Plan (the Plan), and changes to existing listings.

- 3.2. During 2007 and 2008 the Council received requests from the owners of nine dwellings and one object (Smith Family Grave) to be listed as heritage items in the Plan.
- 3.3. Because of the length of time these properties had been on Council records, research on these properties was given priority by the consultant heritage team.
- 3.4. Research by the consultant team has confirmed that these items have heritage significance and this Plan Change lists them as either category A or B heritage items.

4. Discussion

- 4.1. This Plan Change was notified on 6 February 2010 with submissions closing on 5 March 2010. Three submissions were received, all in support of the Plan Change. One submitter wished to be heard in support of the Plan Change.
- 4.2. The hearing for this Plan Change was held on 21 June 2010 and the hearing committee made no changes to the notified version of the Plan Change. The hearing committee recommended that all submissions be accepted and resolved

THAT the Council make operative Plan Change 15.

- 4.3. A copy of the minutes of the hearing committee, which includes this resolution, is attached as Attachment 2.
- 4.4. Because all submitters and the decision of the hearing committee supported the Plan Change as notified, this Plan Change is now beyond challenge. Therefore the next step is for Council to adopt the Plan Change and make it operative.

Decision on Plan Change

- 4.5. Clause 10 of Schedule 1 of the RMA requires Council to give a decision, with reasons, on the provisions within a Plan Change and the matters raised in submissions, and Clause 11 requires Council to notify this decision.
- 4.6. It is recommended that Council adopt the Plan Change provisions and accept all three submissions to this Plan Change. The reasons for this are:
 - The Plan Change will help to protect and conserve 10 heritage items through scheduling in the Plan. Protection of historic heritage is a matter of national importance under section 6(f) of the RMA; and
 - All three submissions support the Plan Change as notified, and so the Plan Change is now beyond challenge; and
 - All landowners of the heritage items support their scheduling.

Operative Date

- 4.7. Clause 20 of Schedule 1 of the Resource Management Act requires that Council publicly notify the date by which a Plan Change will become operative at least 5 working days before it becomes operative.

- 4.8. The recommended date for making the Plan Change operative is 9 August 2010. This date will be notified a minimum of five working days before the operative date.
- 4.9. It is also recommended that the decision on the Plan Change be notified at the same time as the date when the Plan Change will become operative.

5. Conclusion

- 5.1. Plan Change 15 – Heritage to the Nelson Resource Management Plan has been through the notification, submission and hearing process and all three submitters and the hearing committee supported the Plan Change as notified.
- 5.2. This Plan Change is now beyond challenge and is recommended to be adopted and become operative as required by Clauses 10, 11 and 20 respectively of Schedule 1 of the RMA.
- 5.3. This requires the notification of the decision and operative date, which is recommended to be 9 August 2010, at least five working days prior to this operative date.

Contact officer: Peter Rawson, Senior Policy Planner.

Keith Marshall
Chief Executive

Attachments

Attachment 1: Plan Change 15 – Heritage ([847391](#))
Attachment 2: Minutes of the Hearing Committee ([946624](#))

Supporting information follows.

Supporting Information

1) Fit with Community Outcomes and Council Priorities

The Plan Change is consistent with the two community outcomes of creating the opportunity for healthy, accessible and attractive places for people to live in and a fun and creative culture and regional identity.

It is also particularly aligned with the following Council Priority:

- Safeguarding and promoting our heritage

2) Fit with Strategic Documents

The Plan Change is consistent with strategic documents, including the Whakatu Nelson Heritage Strategy and the Nelson Community Plan.

3) Sustainability

The Plan Change is consistent with our commitment to sustainability as outlined in the Sustainability Policy because it ensures the wise use of resources within a framework which provides for our cultural wellbeing.

4) Consistency with other Council policies

The Plan Change is consistent with other Council policies. This includes the policies within NA1.3 of the Nelson Regional Policy Statement which relate to the preservation or enhancement of amenity and conservation values and policy DO4.1.1 of the Nelson Resource Management Plan heritage identification and classification.

5) LTCCP/Annual Plan reference and financial impact

The Plan Change may encourage applications from landowners for financial help for heritage properties.

6) Decision-making significance

This is not a significant decision in terms of the Council's Significance Policy.

7) Consultation

All land owners of the affected properties have written to Council seeking listings of their buildings and the Smith Grave as historic items. They are supportive of the Plan Change and have been consulted as part of this process. In addition, the general public has been consulted when Council sought nominations on what additional heritage items should be listed within the Plan. Finally all 3 submitters supported the Plan Change which is now beyond challenge.

8) Inclusion of Maori in the decision making process

A separate process, the Iwi Heritage Inventory Project, is being undertaken with Maori. This project's purpose is to identify waahi tapu and recommend appropriate measures for their protection and recognition. Maori have also had an opportunity to nominate historic items as part of the public consultation on this project.

ATTACHMENT 1

PLAN CHANGE 15 – HERITAGE

ATTACHMENT 2

MINUTES OF THE HEARING COMMITTEE