

STAFF REPORT

TO: Mayor and Councillors

FROM: Steve Markham, Manager Policy

REFERENCE: R430

DATE: 27 August 2008

SUBJECT: Approval of Parts I and II, Tasman Resource Management Plan for Operative Status

PURPOSE OF REPORT

This report recommends approval of Parts I and II of the Tasman Resource Management Plan (TRMP), and an operative date of 1 November 2008.

BACKGROUND

For nearly three years the Council has been committed to making operative Parts I and II (Introductory and Land) of the TRMP, and the delay until now has largely been because of the commitment to see resolved certain appeals relating to rural subdivision. During those three years:

- 19 variations affecting those parts were notified
- 4 sets of Council decisions on submissions amended those parts
- 11 Environment Court decisions amended those parts.

This demonstrates the pace of demand for resource policy-making upon the Council and is clear evidence that the Council has been far from inactive in its resource management planning responsibilities. The TRMP across all five of its resource-based parts is an ongoing work in progress, to devise workable solutions to resource management situations and conflicts across multiple interests, locations and resources affected.

In October 2005 and March 2006 the Council as EPC received advice on the opportunities and implications of making operative parts of the TRMP as an amendment to the RMA in 2005 provided for this to happen without involvement of the Environment Court.

The appeal that has delayed TRMP approval was disposed of by the Court on 2 April 2008. On 29 May 2008 following advice from me the Council resolved to have the uncontested content of Parts I and II to be put to Council at this September meeting for approval and setting an operative commencement date, notionally the end of

October, to allow for full printing of the updated text and planning maps, notification of the operative date and distribution to users before operative commencement.

THE APPROVAL PACKAGE

The package of the TRMP for approval is Parts I and II text and planning maps. These parts constitute the District Plan and also:

- Regional plan provisions dealing with land use (Chapter 5 (5.4), and 16.7 Hazardous Facilities)
- Meanings of terms used in Parts III, V and VI (regional plan provisions) (in Chapter 2).
- A general set of provisions that relate to the TRMP as a single combined plan (Contents and Chapters 1 – 4)

Because the content of these two parts is subject to a number of current variations, the provisions affected by these variations cannot be approved and made operative yet, and must remain as proposed provisions within the operative parts until the relevant processes are completed. For the operative parts, each current variation is required by the RMA to be treated as a proposed change, and so all current variations uncompleted have been renumbered as changes and these are listed in Chapter 1. In due course when each of these changes is completed, it can be approved to be made operative. In the text, each set of provisions affected by these changes is identified within a bold black box of text.

Over the past 12 years many amendments to provisions have resulted in extended numbering and lettering. Accordingly a new numbering system has been introduced and previous lettering replaced by numbers. Where the number for any proposed change within the black boxed text has changed, the original variation number and new number are given.

Finally, a simple cross-referencing system has been provided, to complete a decision made on a Council submission ten years ago.

The updated text for Parts I and II will be provided to Councillors before the meeting under separate cover from the agenda. A sample of the updated planning maps will also be made available.

While this act of approval for commencement of operative Parts I and II is a milestone, there are two further parts for approval (Parts V (Water) and VI(Discharges)) to follow on closely and Part IV (Rivers and Lakes) to consider as the last new part. Beyond this, apart from entertaining Council's own proposed changes as well as change requests for the operative parts, there is the commitment within Council's Resource Policy programme to consider the fate of the Tasman Regional Policy Statement as a standalone planning document and to assess the merits of incorporation in the TRMP.

I commend the perseverance of the terms of Council and that of five successive EPC Chairs to progress the TRMP in the face of its conscientious but fraught beginnings

in the mid 1990s, and to progress what have been good second generation approaches to urban and rural development policy over the past eight years. I acknowledge the professional efforts of the longstanding resource policy planning team members who have carried the processes and advice from unitary status in 1992 through to notification in May 1996 and to this point – Rose Biss, Neil Jackson, Stephanie Trevena and Mary-Anne Baker – and those of the TRMP administrator, Pam Meadows who has competently managed the TRMP process data and outputs since 1997.

RECOMMENDATION

It is recommended that the Council:

1. Approve Parts I and II (other than those identified provisions that cannot yet be made operative) including text and planning maps, under Clause 17 of Schedule 1 of the RMA.
2. Agree that the date on which these parts will become operative is Saturday 1 November 2008, to be publicly notified both before and on this date as required.
3. Effect this approval by affixing the Council seal to the TRMP as required.



Steve Markham
Manager Policy

http://tdctoday:82/shared_documents/meetings/council/full_council/reports/2008/rcn080918_report_approval_of_parts_i_and_ii_trmp.doc