

# **SECTION 1 - INTRODUCTION**

## **1 PURPOSE OF THE DISTRICT PLAN**

This is the first District Plan for the Waimate District prepared under the Resource Management Act 1991. The purpose of the District Plan is to assist the Council to carry out its functions in order to achieve the purpose of the Resource Management Act.

The sustainable management of natural and physical resources is the purpose of the Resource Management Act. Further explanation of the meaning of "sustainable management", and the principles for achieving it, are discussed in Section 2 of the Plan. In general terms the District Plan is the means by which the use, development and protection of the District's natural and physical resources will be managed into the future.

## **2 LIFE OF THE DISTRICT PLAN**

Section 73 of the Resource Management Act requires the Waimate District Council to have at all times a District Plan for its District. The Council is obliged to commence a full review of its District Plan over the next 10 years after this Plan becomes operative. It is, therefore, envisaged that this document will be in force for at least the next decade.

In view of the possible resource management issues or policy changes in the District over the next 10 years, provision is made under the Resource Management Act for Changes to the District Plan. These may either be initiated by the Council or by private request.

## **3 HISTORY OF THE DISTRICT PLAN**

This Plan reviews and replaces the following District Schemes prepared under the Town and Country Planning Act 1977:

- Waimate County District Scheme: - Operative 1 December 1986
- Waimate Borough District Scheme: - Operative 1 January 1988

Under the local government restructuring of 1 April 1989, the former Borough and County were amalgamated to form Waimate District.

The District Schemes relevant to the previous local authorities remained in force through the amalgamation and were deemed to be the Waimate Transitional District Plan with the introduction of the Resource Management Act on 1 October 1991.

This District Plan was publicly notified in April 1996. Following decisions on submissions by the Waimate District Council and determinations by the Environment Court, the Plan was made operative in October 2001.

## 4 DISTRICT PLAN LAYOUT

- **Section 1 - Introduction** explains the purpose of the District Plan and describes in general terms the contents of the Plan.
- **Section 2 - Policy and Legal Framework** outlines the Resource Management policy framework upon which the District Plan is based. It also sets out the legal basis for the Plan and for the rules contained in the Plan and their administration.
- **Section 3 - Definitions** lists definitions of terms used throughout the District Plan.
- **Sections 4 to 6 - Rural, Residential and Business Sections** These sections deal with resource management issues and the objectives and policies particular to Rural, Residential and Business zones within the Waimate District.
- **Section 7 to 13 - Signs, Heritage Protection, Transportation, Subdivision and Development, Utilities, Hazardous Substances and Takata Whenua Values** present what are termed the "general provisions" for the District Plan. These cover the issues that apply across the whole District, regardless of zone. Some of these provisions are specific to particular properties or zones identified in the Planning Maps.

Sections 4 to 13 contain the following:

Issues - These are the main resource management issues associated with the particular topic. These issues are described then objectives and policies relevant to the issue are listed. This is followed, where appropriate, by a list of means of implementation where implementation is outside the District Plan e.g. by-laws or enforcement of another statute.

Objectives - These are the intended Resource Management outcomes. Within the Rural, Residential and Business Sections the objectives are written for the relevant zones. Elsewhere the objectives are expressed for the topic as a whole e.g. signs, heritage protection.

Policies - These are the means by which objectives will be achieved and frequently indicate the purpose to be achieved by that action. Explanations and reasons are given for each policy and relevant rules implementing the policy are listed. In addition the Anticipated Environmental Results from implementation of the policy are listed.

Within the Rural, Residential and Business Sections the policies are written for the relevant zones. Elsewhere the policies are expressed for the topic as a whole e.g. signs, heritage protection.

Methods of Implementation - The Methods of Implementation are the means of action that can be taken to achieve the policies of the District Plan. These can take two forms, regulatory and non-regulatory. **Non-regulatory** methods can include information, education and public awareness programmes, advocacy promotion and co-operation, and investigations and consultations. **Regulatory** methods include the rules within the District Plan, Council Bylaws, and other legislation such as the Biosecurity Act and Health Act.

Anticipated Environmental Results - The Anticipated Environmental Results are the intended environmental outcomes or results from the implementation of the policies contained within the District Plan. These anticipated results also help to provide a means of monitoring the success of the District Plan and its effects on the District's environment.

Reasons For Rules - The form, purpose and reasons for all specific performance standards or conditions applied in each zone are listed and described.

Rules - The rules are either for zones (areas) or apply throughout the district (district wide). The rules are authorised and administered under the Resource Management Act 1991 and the District Plan. An explanation of the status of activities created through the rules is given in Section 2. Reasons for specific performance standards contained in the Rules are contained in Section 15.

Assessment Matters - Matters to be taken into account by a consent authority in considering resource consents under this Plan (in addition to those specified in the Resource Management Act) are listed after the relevant zone rules.

The various objectives, policies, rules and other methods contained in the Plan have been prepared in accordance with section 32 of the Resource Management Act 1991, which requires the consideration of alternative provisions and an assessment of benefits and costs of each provision.

## **5 HOW TO USE THE DISTRICT PLAN**

The zoning of any property can be established from the planning maps. The maps also indicate whether any of the site-specific general provisions relate to that property. Other site specific requirements will be contained within the relevant Zone rules e.g. Residential, Rural or Business.

The relevant Zone section of the District Plan contains the specific controls for properties in that zone. If the maps show specific indicators associated with the site (e.g. a heritage site) then the relevant section(s) in the District Plan must be referred to for any additional controls. The other general provision sections should then be referred to as appropriate depending upon the nature of the proposed development.

For the structure of each Section and a definition of its components, see 4 of this Section.

## **6 RELATIONSHIP WITH TAKATA WHENUA**

Section 8 of the Resource Management Act requires that the Council take into account the principles of the Treaty of Waitangi in exercising its powers or functions under the Resource Management Act. This requires recognition of the fundamental partnership between Maori and the Crown. In implementing the Act the Council must:

*"recognise and provide for ... the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga"*  
(s.6(e)) and

*"have particular regard to ... kaitiakitanga (the exercise of guardianship, including the ethic of stewardship based on the nature of the resource itself)" (s. 7(a)).*

The Council is undertaking consultation with local takata whenua. It is possible because of the time required for appropriate investigation and consultation, that not all of the objectives, policies and methods recognising the principles of the Treaty of Waitangi will be fully implemented by this District Plan, but may be incorporated by subsequent Plan Changes. It is intended that this liaison will be ongoing beyond the Plan and any Changes being made operative.

## **7 RELATIONSHIP WITH OTHER PLANS AND POLICY DOCUMENTS**

In preparing and reviewing the District Plan, the Council is required to consider a range of other plans and policy documents of relevance to the District. The Council is required under Section 55 of the Act, to implement any national policy statement. The District Plan must not be inconsistent with:

- any national policy statement or (ss 55 and 75(2))
- the New Zealand Coastal Policy Statement;
- any water conservation order;
- the Regional Policy Statement or any regional plan covering its district (s75(2))

The Council will undertake Plan Changes, if necessary, where these plans or policy documents are prepared subsequent to this District Plan.

The Council has had regard to the following documents:

- Environment Canterbury's Regional Policy Statement and proposed regional plans.
- district plans of adjacent local authorities (s 74(2)).
- the Historic Places register
- the Transitional Regional Plan – Environment Canterbury

Section 223d of the Local Government Act 1974 allows the Council to set out its broad policies and objectives through an annual plan, providing a clear statement of the goods and services produced by the Council. This delivery of goods and services by the Council can be used to achieve sustainable resource management. To this extent the

Council's District and Annual Plans should not be in conflict with each other and can work together to provide a variety of means to achieve the purposes of the Resource Management Act.

## **8 MONITORING AND REVIEW**

Council is obligated under the Resource Management Act to monitor the effectiveness of its policy statements and plans, the exercise of resource consents, the exercise of any transferred/delegated powers, and the state of the environment in relation to the Council's duties and responsibilities under the Resource Management Act.

Monitoring will be undertaken on the key issues facing the District. Regular reports will be produced to document trends. The significance of the issue will determine the timing of data collection and the production of reports. The matrix in Appendix F "Monitoring Schedule" identifies the monitoring methods to be employed for the various sections of the plan.

In order to be cost effective Council will depend as much as possible on the use of:

- Data already gathered by itself for other purposes but which has relevance for monitoring (computer generated data is of particular value).
- Monitoring programmes carried out by other agencies such as the Department of Conservation or Environment Canterbury.

Reviews of the District Plan (or parts of it) will be based on any divergence identified in the comparison of trends with respect to the Plan's objectives and policies.

The Council will, within one year of the District Plan becoming operative, prepare an overall monitoring strategy, to ensure co-ordination and integration in the monitoring undertaken by the Council. This strategy will be developed in consultation with the community and the takata whenua. After completion of the strategy the relevant components of the strategy will be incorporated into the District Plan by way of a plan change.

The Council has also instituted a monitoring programme for resource consents as from February 1996. This programme involves a ten step process for each consent which is detailed in Appendix F - Part 2. It

is intended that all resource consents issued under the Resource Management Act 1991 will have been monitored using this process by mid 1997.

## **9 CROSS BOUNDARY ISSUES**

There are a number of issues that cross the District boundary. These have been addressed through informal and formal consultation and the preparation of joint studies.

Using similar approaches to other Districts is another means of addressing cross-boundary issues including assessment of impacts on significant landscapes, control of on-water activities and protection of significant ecological areas. The Regional Council through the Regional Policy Statement, Regional Plans and co-ordination of a number of resource management activities provide a means of addressing cross-boundary issues.

The above approaches will continue to be used in the future along with the option of joint hearings.