

SECTION 1 - INTRODUCTION

1 PURPOSE OF THE DISTRICT PLAN

This is the second 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. The Resource Management Act further explains that:

- (2) *In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

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 review all provisions of its District Plan which have not been changed or reviewed during the 10 years after they became 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 Waimate District Plan prepared under the Resource Management Act 1991, which was made operative on 2 October 2001. Prior to this were the District Schemes of the Waimate County and Waimate Borough prepared under the Town and Country Planning Act 1977.

This District Plan was publicly notified on 6 August 2011 and became operative on 28 February 2014.

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 - Takata Whenua Values** contains a statement on Ngai Tahu and Takata Whenua within the Waimate District and sets out relevant Issues, Objectives and Policies.
- **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 12 - Signs, Heritage Protection, Transportation, Financial Contributions and Subdivision, Utilities, and Hazardous Substances** 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.
- **Section 13 – Definitions** lists definitions of terms used throughout the District Plan.

Sections 4 to 12 contain the following:

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.

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.

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 Rules/Assessment Matters - The form, purpose and reasons for all specific performance standards or conditions applied in each zone are listed and described after the relevant zone rules along with assessment matters to be taken into account by a consent authority considering resource consents under this Plan.

The various objectives, policies and rules 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 clause 4 of this Section.

See the statement at the beginning of the Contents Section regarding the status of the Reviewed Plan and the legal effect of some rules.

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 will work in a consultative partnership with local takata whenua (people of the land) to ensure the principles of the Treaty of Waitangi are fully implemented by this District Plan and its administration. It is intended that this partnership will be ongoing.

7 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).
- Information held by Ngāi Tahu
- 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.