

INTRODUCTION

Sustainable Management

This Plan has been developed under the Resource Management Act 1991. The Act defines the Council's functions and the matters it shall have regard to in the preparation of this Plan. The Act has a single overriding purpose which is to promote the sustainable management of natural and physical resources.

Sustainable management is defined in the Act as 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 wellbeing and for their health and safety while -

- (a) Sustaining the 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.

Context of the District Plan

The District Plan is an important part of the District's resource management approach. It is most effective when it is integrated with the Council's Annual Plan, Strategic Plan, Corporate Plan, Bylaws and other Council initiatives.

The Plan is also influenced by the planning policies and strategies of other agencies. These are set out below:

- National Policy Statements
- National environmental standards in terms of natural resources
- Water Conservation Orders
- Regional Policy Statements and Regional Plans
- Adjacent authorities district plans
- Iwi authority planning documents
- Management plans and strategies prepared under other legislation
- Historic Places Register
- Regulations relating to the conservation or management of taiapure or fisheries

The Act requires that the Plan is not inconsistent with national and regional policy statements and plans and water conservation orders.

The Regional Policy Statement for Manawatu-Wanganui has been an important consideration in the preparation of this Plan. Difficulties have been experienced in ensuring the consistency of this Plan with the Regional Policy Statement due to the relative time-frames the documents have been prepared in. This Plan has been prepared at a similar time to the Regional Policy Statement. Therefore, the final content of the Regional Policy Statement has, to a degree, remained uncertain. In the event of inconsistency these will be addressed as and when they are identified.

Further, the three conservancies of the Department of Conservation began the preparation of their Conservation Management Strategies at a similar time to the Plan preparation process. Therefore, similar difficulties have been experienced in having regard to the Waikato, Tongariro-Taupo and Wanganui Conservation Management Strategies as they were not operative, with the exception of Waikato's, and therefore their content is uncertain.

Structure of the Plan

The Plan has been written on an issue driven basis. When considering an application for a resource consent the Council will consider, in accordance with Section 104 of the Act, all the relevant objectives, policies, rules and other provisions of the Plan, not just those contained in the part of the Plan directly addressing the activity.

How to Use the Plan

The Plan is prepared as a single document which brings together many of the resource management issues facing the District. In order to be easily understood the Plan is divided into six sections covering the introduction and tangata whenua issues (section 1), interpretations and information requirements (section 2), district rules (section 3), zones, including methods and rules (section 4), general issues, including methods and rules (section 5) and specific issues, including methods and rules (section 6). There are also appendices which form part of this Plan. Each section is divided into chapters which deal with certain issues. The chapters on Rural, Protected Areas, Residential, Commercial, Industrial, and Urban Settlement relate solely to the areas which are so zoned. The District Planning maps show the zoning specific to each property.

The other chapters apply, in appropriate circumstances, to the whole of the District including the zoned areas. These deal with issues which are not limited to any specific zoning and include:

- Information Requirements
- District Rules
- Maori Land
- Transportation
- Subdivision
- Signs
- Financial Contributions
- Hazardous Substances
- Indigenous Vegetation and Habitats of Indigenous Fauna
- Riparian Management and Public Access
- Outstanding Natural Features and Landscapes
- Relocatable Buildings
- Utilities
- Special Activities
- Surface of Water
- Natural Hazards
- Heritage

The chapter on Maori Land applies solely to a proposed development being undertaken by tangata whenua on Maori Land. This acts as an overlay of all other zones. This chapter provides for flexibility in the use of Maori Land.

Each chapter of the Plan from Section 3 onwards sets out the following:

- A general introduction to the subject topic
- Significant Resource Management Issues (Issue)
- Anticipated Environmental Result (Outcome)
- Objectives
- Policies
- Explanation of Policies
- Methods
- Rules
- Principal Reasons for Adopting Objectives, Policies and Methods

Classes of Activities and Resource Consents

The rules contained in the Plan are expressed as different activity types. These are classified into five groups in accordance with the Act, being:

- Permitted
- Controlled
- Discretionary
- Non-complying
- Prohibited

Permitted Activities

A permitted activity means an activity that is allowed by a plan without a resource consent if it complies in all respects with any conditions specified in a plan.

Controlled Activities

A controlled activity means an activity which:

- (a) Is provided for as a controlled activity, by a rule in a plan or proposed plan; and
- (b) Complies with standards and terms specified in a plan or proposed plan for such activities; and
- (c) Is assessed according to matters the consent authority has reserved control over in the plan or proposed plan; and
- (d) Is allowed only if a resource consent is obtained in respect of that activity.

Discretionary Activities

A discretionary activity means an activity:

- (a) Which is provided for, as a discretionary activity, by a rule in a plan or proposed plan; and
- (b) Which is allowed only if a resource consent is obtained in respect of that activity; and
- (c) Which may have standards and terms specified in a plan or proposed plan.

Discretionary Activities (Restricted)

A discretionary activity (restricted) means an activity which:

- (a) Is a discretionary activity; and
- (b) The consent authority has restricted the exercise of its discretion to those matters specified in a plan or proposed plan for that activity.

Where the Council has restricted the exercise of discretion the matters over which discretion may be exercised will either be a discrete list of specific subjects as, for example, in the "Relocatable Buildings" chapter, or the effects of the non compliance with the permitted activity conditions, as, for example, in the Rural Zone. In the case of the latter, it is the Council's intention that, subject to Section 104(1) of the Act, the consent authority will consider all the matters that result from the effects on the environment arising from the non-compliance with the permitted activity conditions, including cumulative effects. It is not the Council's intention that the effects associated with a

permitted activity, being an activity complying with all the permitted activity conditions, are considered.

Non-Complying Activities

A non-complying activity means an activity (not being a prohibited activity) which:

- (a) Contravenes a rule in a plan or proposed plan; or
 - (b) Is listed as a non-complying activity within this Plan;
- and
- (c) Is allowed only if a resource consent is obtained in respect of that activity.

Prohibited Activities

There are no prohibited activities in this Plan.

Designations

Designations identify land required for public works or projects.

Once a Designation is included in a District Plan, it overrides the provisions otherwise applicable to the relevant land under the Plan and any Resource Consents, provided the land is being used for the designated purpose by the requiring authority.

Designated land is subject to the provisions of Section 176A of the Resource Management Act, which requires an outline plan of the public works or projects to be submitted to the Council before construction is commenced. This provision also applies to the Council.

Role of Manawatu-Wanganui Regional Council and the Ruapehu District Council

The Manawatu-Wanganui Regional Council also fulfils duties and functions in accordance with the Resource Management Act 1991. In some situations the functions of both authorities overlap, such as with landuse matters, natural hazards and hazardous substances. The functions of the Regional Council are set out in Section 30 of the Act while those of Territorial Authorities are in Section 31 of the Act.

Any person referring to this Plan should also ascertain the requirements of the Manawatu-Wanganui Regional Council.

