

How the Plan Works

Statutory context

The Councils must have a district plan at all times (Section 73 of the RMA). The key provisions of the RMA are contained in Part 2 (sections 5, 6, 7 and 8) and sections 31, 72, 73, 74 and 75. Section 5 sets out the overriding purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Section 6 identifies the matters of national importance, Section 7 lists other matters for consideration, and Section 8 requires all persons exercising functions and powers under the RMA to take into account the principles of Te Tiriti o Waitangi / the Treaty of Waitangi.

Sections 74 and 75 list matters the District Council must consider in preparing a district plan, including what it must give effect to.

Relationship with relevant RMA planning and other documents

The District Plan sits within a hierarchy under the RMA, which gives national, regional, and district level direction through policy and planning documents. National planning documents are outlined in the National Direction Instruments chapter. Key regional, local, and other documents and Councils' obligations in respect of them are set out below.

Document(s)	Purpose	Relationship with District Plan as directed by the RMA
RMA planning documents		
Regional Policy Statement for the Wellington Region	Sets out the framework and priorities for resource management in the Wellington region as required by the RMA.	District Plans must give effect to any regional policy statement (section 75(3)(c) of the Act), and have regard to any proposed regional policy statement (section 74(2)(a) of the Act).
Wellington Natural Resources Plan	The purpose of a regional plan is to assist a regional council to carry out its functions in order to achieve the sustainable management purpose of the RMA.	District Plans must not be inconsistent with a regional plan for any matter specified in section 30(1) of the Act (section 75(4)(b) of the Act), and shall have regard to any proposed regional plan in regard to any matter of regional significance or for which the regional council has primary responsibility for

Document(s)	Purpose	Relationship with District Plan as directed by the RMA
RMA planning documents		
		under Part 4 of the Act (section 74(2)(a)(ii) of the Act).
Other documents		
Conservation Management Strategy and Conservation Management Plans	These documents are prepared under the Conservation Act 1987 and apply to natural and historic resources managed by the Department of Conservation.	District Plans must be prepared having regard to these plans, to the extent that their content has a bearing on resource management issues of the district (section 74(2)(b)(i) of the Act).
Reserve Management Plans	Within the district there are a number of reserves administered under the Reserves Act 1977. Under this Act, the councils prepare reserve management plans which manage use of the reserves.	District Plans must be prepared having regard to these plans, to the extent that their content has a bearing on resource management issues of the district (section 74(2)(b)(i) of the Act).
New Zealand Heritage List Rārangī Kōrero	The New Zealand Heritage List Rārangī Kōrero is required by the Heritage New Zealand Pouhere Taonga Act 2014. It lists buildings, places, and sites that are of social or outstanding historical or cultural significance or value and is administered by Heritage New Zealand Pouhere Taonga.	The District Plan must be prepared having regard to this list, to the extent that its content has a bearing on resource management issues of the District (section 74(2)(b)(iia) of the RMA).
Long-Term Plan and Annual Plan	Prepared under the Local Government Act 2002 to establish community outcomes in terms of social, cultural, economic, and environmental matters, and identify budget priorities and programmes.	District Plans must be prepared having regard to these plans, to the extent that their content has a bearing on resource management issues of the District (section 74(2)(b)(i) of the Act).

Document(s)	Purpose	Relationship with District Plan as directed by the RMA
RMA planning documents		
Carterton Urban Growth Strategy South Wairarapa Spatial Plan	Prepared to help inform a planned approach for directing how and where to accommodate expected future growth.	District Plans must be prepared having regard to these plans, to the extent that their content has a bearing on resource management issues of the District (section 74(2)(b)(i) of the Act).
Iwi Management Plans	These plans are developed and approved by Iwi to address matters of resource management activity of significance within their respective rohe. The plans can contain information relating to specific cultural values, historical accounts, descriptions of areas of interest, and consultation and engagement protocols for resource consents and plan changes.	District Plans must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District (section 74(2A) of the Act).
Statutory Acknowledgements	A treaty settlement is an agreement between the Crown and a Māori claimant group to settle all of that claimant group's historical claims against the Crown. The deed of settlement includes statutory acknowledgements, which are a formal acknowledgement by the Crown that recognise the particular cultural, spiritual, historical, and traditional association of iwi or hapū with a site of significance or resource identified as a statutory acknowledgement area.	Procedural requirements of treaty settlements impact upon resource management processes concerning identified statutory acknowledgement areas. The requirements for the Council, in summary, are to: • have regard to a statutory acknowledgement when determining affected parties in relation to resource consent applications; and • record all relevant Statutory

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RMA planning documents		
		Acknowledgements in the District Plan. The governance entity and any member of the Iwi can also cite the statutory acknowledgements as evidence of the association of the Iwi with the relevant statutory area.
Te Rohe o Rongokako Joint Redress Act 2022	This Act provides for the development of a Wairarapa Moana Framework document which has three parts: a) an overarching vision, and statement of desired outcomes, for Wairarapa Moana (overarching vision); b) a reserves management plan for the Wairarapa Moana reserves (reserves plan); c) a natural resources document for the Ruamāhanga River catchment (natural resources document). The purpose of the natural resources document is to identify the Statutory Board's issues, values, vision, objectives, and desired outcomes for sustainable management of natural resources in the Ruamahanga River catchment, to the extent that they relate to the health and well-being of Wairarapa Moana or the	Once the natural resource document is prepared, under Section 98 of the Joint Redress Act the District Councils must recognise and provide for the content of the natural resources document in the District Plan to the extent that it is relevant to matters covered by the District Plan.

Document(s)	Purpose	Relationship with District Plan as directed by the RMA
RMA planning documents		
	Ruamahanga River catchment. Under the Joint Redress Act, it states the natural resources document must not contain rules or regulatory methods.	
Wellington Region Waste Management and Minimisation Plan (WMMP)	The WMMP sets out a means of moving towards a circular economy, where we keep resources in use for as long as possible. Where possible, recover products and materials and regenerate natural systems at the end of a product's lifecycle.	Under this Plan, the role of Councils includes as a regulator. District Plans can influence and support waste reduction.

The Treaty of Waitangi (Te Tiriti o Waitangi) and the Resource Management Act

There are two iwi in the Wairarapa, Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa. Section 6 of the Resource Management Act 1991 requires that the relationship of Maori, their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga be recognised and provided for as a matter of national importance. In addition, Section 7 requires that particular regard be given to kaitiakitanga when managing the use, development, and protection of natural and physical resources. The Councils have a duty under Section 8 of the RMA to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The principles are not explicitly defined in the RMA and will vary depending upon the special needs of the iwi within each district. Recognising and accepting that there are different conceptions of resource allocation between Tangata Whenua and the Councils is an important resource management issue. Consultation/Wananga between parties will provide the basis for achieving a greater ~~empathy~~ understanding between Tangata Whenua and the Councils.

The Tangata Whenua chapter outlines the relationship between Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa and the District Plan, outlines the Treaty Settlements and APP1 and APP2 identify Statutory Acknowledgements.

General Approach

Parts of the District Plan

This District Plan has been prepared to give effect to the National Planning Standards 2019 that set out the required structure, format, spatial layers, and mapping requirements for a district plan. The District Plan should be read in full. It contains the following parts:

Part 1 Introduction and General Provisions

This part of the District Plan contains the chapters that explain the District Plan's context, how it works, and information on how to interpret the District Plan. Part 1 also sets out the National Direction Instruments that are relevant to the preparation of, and implementation of, the District Plan.

Part 2 District Wide Matters

This part of the District Plan is in two parts – Strategic Directions and District-Wide Matters:

- a) Strategic Direction – the strategic objectives set the direction for the District Plan to guide decision making at a strategic level. All other objectives and policies in the District Plan should be read and fulfilled in a manner consistent with the objectives in the Strategic Direction Chapter while recognising no fixed hierarchy exists between them.
- b) District Wide Matters – these are provisions that apply district-wide. They include overlays that relate to parts of the district. Overlays are specific areas that have distinctive value, risk, or other factors that might require management, and these are identified spatially. The other district-wide matters apply generally across the district and are not separately covered in the Part 3 Area Specific Matters.

Part 3 Area Specific Matters

This part of the District Plan is in two parts – Zones and Designations:

- a) Zones – A zone spatially identifies and manages an area with common qualities and characteristics and/or where particular environmental outcomes are sought. The entire district is zoned and all land is identified as part of a 'zone' on the planning maps, with rules which manage activities in that particular zone. The zones generally seek to enable similar, compatible activities, or effects to be located in appropriate areas together, while managing those that are incompatible. These zone chapters do not contain rules and standards that apply generally across the districts – these are in Part 2. Some of the zones contain Structure Plans to manage particular areas of future development.
- b) Designations – This part contains the designations that have been included in the District Plan under section 168, section 168A, or clause 4 of Schedule 1 of the RMA. Designations authorise the use of land by requiring authorities for a particular project or public work. The District Plan rules do not apply to a public work, project, or work

undertaken by a requiring authority that is in accordance with the designation. However, if the designated land is used for a purpose other than the designated purpose, then the provisions of the District Plan do apply. Other people may not, without the prior written consent of the requiring authority, do anything in relation to the designated land that would prevent or hinder the public work, project, or work.

Part 4 Appendices and Schedules

The appendices contain appendices not located within the relevant chapter.

The schedules contain technical information and data, such as schedules of specific areas and features.

Planning Maps

Electronic planning maps spatially define zones, areas, overlays, and features referred to within the District Plan chapters.

The zoning applying to river parcels, roads, and railway corridor is the same zone as the land nearest to each point in the river parcel, road, and railway corridor. Where the zone is different either side of the river parcel, road, or railway corridor, then the boundary between the zones is the centreline of the river parcel, road, or railway corridor.

Format of the sections

Each of the sections in Parts 2 and 3 follows the same format:

1. Introduction
2. Objectives
3. Policies
4. Rules (if any)
5. Standards (if any)

The introduction provides an overview of the topic covered by the section.

The objectives set out the outcome to be achieved for the topic. There may be a number of objectives that apply. Each objective has a specific number, for example TR-O1 or GRZ-O2.

The policies set out the direction to be taken to achieve the objective(s). There may be a number of policies that apply. Each policy has a specific number, for example TR-P3.

The rules have the effect of regulations and set out the activity status for different activities that may be proposed. There may be a number of rules that apply. Each rule has a specific number, for example GRZ-R4.

Rules may refer to standards that need to be complied with. There may be a number of standards that apply. Each standard has a specific number, for example GRZ-S4.

Determining whether a resource consent is required

No person is allowed to undertake any activity in a manner that contravenes a rule in the District Plan or a National Environmental Standard unless the activity is:

- Expressly allowed by a resource consent;
- Is an existing use allowed by section 10, 10A, or 10B of the RMA; or
- Is an emergency work carried out in accordance with section 330 of the RMA.
Notification must be sent to the local authority and a retrospective resource consent is required following the emergency work.

All of the sections in Part 3 and most of the sections in Part 2 contain a table of rules that establish the status of an activity. Rules will generally include requirements and standards that need to be met for that activity status to apply. If you do not comply with a particular rule, requirement, or standard, the activity will default to a different activity status as specified in the rule.

There may be a number of provisions that apply to an activity, building, structure, or site. Even if what you are doing is permitted under one rule, you will still need to check all relevant rules, in all chapters, that apply to what you are proposing. If a resource consent is required, it is required under each relevant rule. If what you are proposing does not comply with a number of rules in the same or different chapters, generally the resource consent applications required will be "bundled" together and assessed against the most restrictive activity status that applies.

A resource consent is a consent granted by a consent authority which allows a person to carry out a certain activity, for instance, land use activities or subdivision.

Under the RMA, activities are classified as being Permitted, Controlled, Restricted Discretionary, Discretionary, Non-complying, or Prohibited.

The activity status is a category that determines whether consent is required and what will be considered when the Council decides whether a consent application can be approved. Table 1 below explains how different activities are to be considered:

Table 1 – Activity Status under the RMA

Activity Status	Resource Consent Required?	What Council can consider
Permitted Activity	Resource Consent not required provided the activity complies with the relevant rules in the Plan, including any applicable standards	n/a
Controlled Activity	Resource Consent required and must be granted	The controlled aspects of the activity specified in the relevant rule. Conditions may be placed on the consent.

Activity Status	Resource Consent Required?	What Council can consider
Restricted discretionary Activity	Resource Consent required and may be granted or declined	The matters to which Council has restricted its discretion as specified in the relevant rule. Conditions may be placed on consent if granted.
Discretionary Activity	Resource Consent required and may be granted or declined	Any relevant matters within Council's jurisdiction. Conditions may be placed on consent if granted.
Non-complying Activity	Resource Consent required and may be granted or declined	Any relevant matters within Council's jurisdiction. Resource consent may only be granted, and conditions imposed, if: 1. the adverse effects of the activity are minor; or 2. the activity is not contrary to the objectives and policies of the Plan.
Prohibited Activity	Resource consent cannot be granted and the activity cannot occur	No application may be made for a prohibited activity and no resource consent can be granted.

Step by step guide

The following steps will assist District Plan users to determine whether an activity is permitted or whether resource consent is required.

Step 1: Check the District Plan Maps

- a) Identify the zone that applies to your site (e.g. General Residential Zone)
- b) Identify all other notations that apply including overlays, features, designations, road hierarchy (e.g. Natural Hazards)

Step 2: Locate the relevant zone rules in Part 3

Step 3: Locate the relevant district-wide rules that apply:

- a) To the activity (e.g. Subdivision rules, Temporary Activity rules, Transport rules); and/or
- b) To any overlays or features (e.g. Notable Tree rules, Natural Hazards rules).

Step 4: Refer to the Interpretation chapter in Part 1 to clarify the meaning of specific words and phrases if necessary.

Step 5: Check if the proposed activity meets all the relevant rules and standards to determine the status of the activity, i.e., whether it is a permitted activity not requiring

resource consent or whether the activity is a controlled, restricted discretionary, discretionary, or non-complying activity and therefore requires resource consent.

Step 6: Check if there are any National Environmental Standards that relate to your proposed activity.

Step 7: Refer to the Financial Contributions chapter to determine whether a contribution is required.

Other methods

District Plan rules provide a regulatory response to managing resource management issues in the districts. Other methods may also be used to achieve the objectives in the District Plan, either on their own or in combination with District Plan rules. These other methods may be regulatory methods (e.g. other Resource Management Act regulation or other legislation) or non-regulatory methods. Examples of other methods include:

- Other Resource Management Act regulation, policies, and plans including national environmental standards, national policy statements, regional plans;
- Other legislation outside the Resource Management Act, e.g. The Reserves Act 1977, the Local Government Act 1974 and 2002, the Electoral Act 1993, Hazardous Substances and New Organisms Act 1996, Heritage New Zealand Pouhere Taonga Act 2014. Legislation may govern other processes and procedures or the preparation of other strategies and plans;
- Council bylaws to manage certain activities e.g. activities in public places, keeping of animals, alcohol control;
- Funding or grants to encourage certain activities or behaviours;
- Education and advocacy;
- Council projects and initiatives;
- Collaboration and partnership; and
- Financial contributions.

Cross-boundary matters

Cross-boundary issues refer to situations where an activity takes place on or near a territorial boundary and where the effects of a particular activity impacts on the territory of an adjacent authority.

The three Wairarapa districts adjoin each other and are within the Greater Wellington Regional Council area. The Wairarapa also borders the following territorial authorities:

- Tararua District Council;
- Horowhenua District Council;
- Kapiti Coast District Council;
- Upper Hutt City Council; and
- Hutt City Council.

The boundary with the last four authorities is mostly located in the Tararua and Remutaka Ranges. As the Ranges are undeveloped and part of a Forest Park, cross-boundary issues are unlikely to be significant with these authorities. Coastal margin issues could potentially occur where the Hutt City Council and South Wairarapa District Council boundary meets Palliser Bay. Physical separation of the Tararua District and Masterton District by hill country reduces the potential for cross-boundary issues to occur.

If any cross-boundary issues do arise, local authorities need to address these issues in a co-ordinated way. In considering cross-boundary issues, the Councils will:

- Give effect to the Regional Policy Statement and any Regional Plans;
- Consult with Greater Wellington Regional Council and all neighbouring local authorities when making changes to or reviewing the District Plan;
- Make submissions, where appropriate, on resource management documents prepared by neighbouring local authorities;
- On receiving an application for a land use consent that is to be notified and where the activity may create regionally adverse environmental effects or affect a neighbouring district, notify the Greater Wellington Regional Council and/or the appropriate local authority;
- Participate in joint hearings with other local authorities where appropriate; and
- Identify opportunities, with Greater Wellington Regional Council, to transfer functions between the authorities where this will result in a more efficient, effective, and integrated approach.

Relationships between spatial layers

The District Plan uses a range of spatial layers that are shown on the planning maps and described below.

The General Approach section explains how resource consent applications subject to multiple zones or chapters are treated. Additional details are also included in the specific chapters.

Spatial layer name	Function	Location of spatial layer provisions
Zones	A zone spatially identifies and manages an area with common environmental characteristics or where environmental outcomes are sought, by bundling compatible activities or effects together, and controlling those that are incompatible.	Zone chapters or sections
Overlays	An overlay spatially identifies distinctive values, risks, or other factors which require management in a different manner from underlying zone provisions. If a proposed activity is within an overlay, but there are no overlay rules that are applicable to the activity, then the activity can be treated as a permitted activity under the overlay provisions, unless stated otherwise. Resource consent may still be required under other Part 2: District-Wide Matters chapters and/or Part 3: Area-Specific chapters.	District-wide matters chapters
Precincts	A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).	Associated zone chapter or section or district wide matters chapters
Specific controls	A specific control spatially identifies where a site or area has provisions that are different from other spatial layers or district-wide provisions that apply to that site or area (for example where verandah requirements apply, or where a different maximum height on a particular site applies).	Relevant chapters or sections

Spatial layer name	Function	Location of spatial layer provisions
Structure Plan Area	A structure plan area spatially identifies and manages areas where structure plans apply to determine future land use or development.	Zone chapters
Designations	Spatially identifies where a designation is included in a plan under section 168 or section 168A or clause 4 of Schedule 1 of the RMA.	Designations chapters
Heritage orders	Spatially identifies heritage orders enabled under section 189 of the RMA.	Historic Heritage chapter. There are no heritage orders in the District Plan.