

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: <ol style="list-style-type: none"> 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.