

## **1. Introduction**

### **1.1 The District Plan and the Resource Management Act 1991**

1.1.1 The Western Bay of Plenty District Plan comprises this document and a separate volume of maps. It is prepared by the Western Bay of Plenty District Council to meet its obligations under the provisions of the Resource Management Act 1991 (RMA 1991).

1.1.2 The Plan relates to the whole District and contains relevant objectives, policies and methods (including rules) for addressing the resource management issues of the District for the next 10 years.

### **1.2 Planning Philosophy**

1.2.1 The Plan states the significant resource management issues of the District and by way of stated objectives, what the Council wishes to achieve in addressing these issues. How these objectives are to be achieved are guided by policies, rules and other methods stated in the Plan (see Section 1.3). Council recognises that ultimately it is the actions of individuals that enable sustainable management to be achieved.

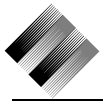
1.2.2 As far as practicable the District Plan is based on the control of off-site effects. These are the effects that an activity may have on the immediate environment or the wider community. Any effects confined within the site are considered to be the concern of that landowner and/or occupier and generally are not directly addressed in the District Plan unless the activity fundamentally affects the sustainable management of natural and/or physical resources.

1.2.3 Council wishes to minimise unnecessary regulation while still ensuring that environmental standards are not compromised. The importance of clarity and certainty is recognised by the Council and accordingly zoning techniques and activity lists are utilised in the Plan. Zoning recognises that it is appropriate to have different environmental standards for different parts of the district. Activity lists are intended to be generic in nature (rather than use specific) and are based on the grouping of activities with similar effects.

1.2.4 Activities which are not provided for can still become established (unless they are a prohibited activity). In situations where the activity can meet the performance standards of the zone and is not contrary to relevant objectives and policies the resource consent application will be processed in the most expedient manner possible (refer Section 8.1).

### **1.3 District Plan Structure**

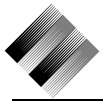
1.3.1 Each section is comprised of the following:



- (a) **Explanatory Statement** – this gives the reasons why the stated objectives and policies and associated methods have been adopted. It also helps explain the linkages between issues, objectives, policies and methods.
- (b) **Significant Issues** - these are the main resource management issues of the District with regard to the particular topic. They identify a need for intervention so that Council can promote the sustainable management of natural and physical resources. To this extent they usually state negative effects of activities which need to be addressed and resolved.
- (c) **Objectives** - these are the intended resource management outcomes. They identify what is trying to be achieved in addressing the issues and as such they embody the anticipated environmental results.
- (d) **Policies** - these are the means by which the objectives will be achieved and clarify what effects will be addressed to achieve the objective.
- (e) **Rules** - these are one method used to give effect to policy. They specify the type of activities catered for and the standards that need to be met.

They include provision for the following types of activities:

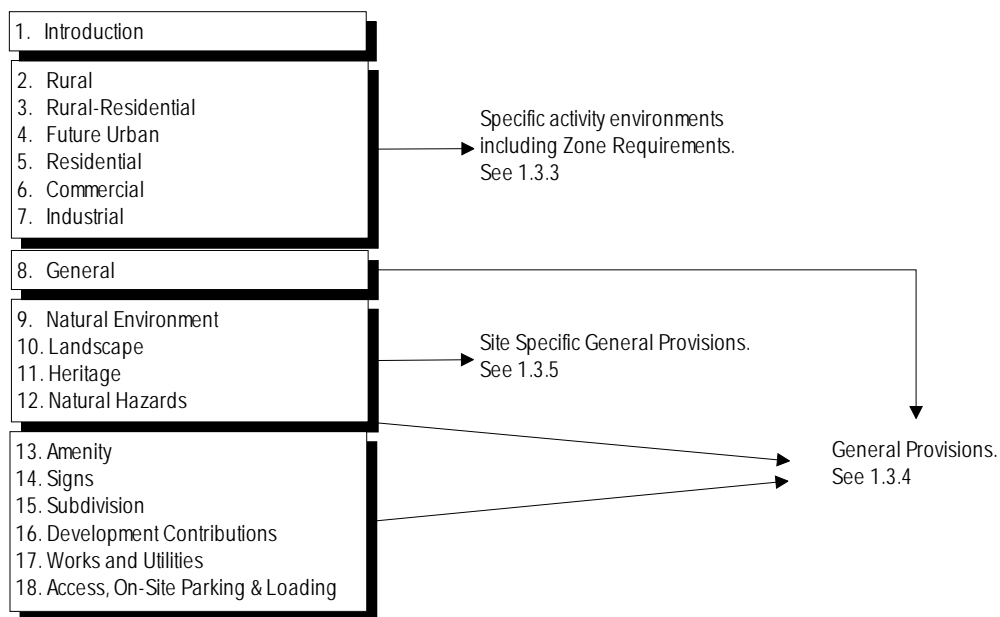
- (i) **Permitted Activities** - these are the activities that can proceed as of right subject to complying with the relevant stated Activity Performance Standards. A resource consent is not required.
- (ii) **Controlled Activities** - these are activities for which the Council seeks to exercise some control. The extent of control and the criteria for these are contained in the relevant Activity Performance Standards. The approval of affected persons is not required unless it is specifically referred to in the District Plan. A resource consent is required. Council cannot refuse consent but can impose conditions on matters over which it chooses to exercise control.
- (iii) **Discretionary Activities** - these are activities where the effects can be less certain and the Council chooses to exercise its discretion as to whether they should be allowed and what conditions may be imposed. Criteria stating matters to be considered may be included within the relevant Activity Performance Standards.

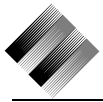


These provide guidance as to matters which are of special concern but does not limit the consideration of other matters unless specifically stated. A resource consent is required. Council may impose conditions or may refuse consent.

- (iv) **Non-Complying Activities** - these are activities that are not listed in the Plan. A resource consent is required. In considering such an application, regard must be had of the Activity Performance Standards as well as the relevant objectives and policies. Council may impose conditions or refuse consent.
  - (v) **Prohibited Activities** - these activities are specifically prohibited by the District Plan. Resource consent applications for such activities shall not be accepted.
  - (vi) **Activity Performance Standards** - these are included in each section and provide standards to be complied with and criteria to assess whether an activity can become established. They are a direct means of avoiding, remedying or mitigating adverse effects.
- (f) **Other Methods** - these are methods, other than rules, that are to be administered outside of the District Plan. These include techniques such as education, Council providing a service (through the Annual Plan) or methods administered by other agencies.

### 1.3.2 Layout of the Plan





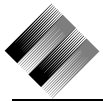
- 1.3.3 Sections 2 to 7 incorporate issues, objectives and policies that relate to specific activity environments and include specific zone provisions. Resource management issues should not be viewed in isolation. There is considerable overlapping of issues and accordingly to obtain a fuller picture of an issue and how it is to be resolved it may be desirable to examine more than one section.
- 1.3.4 Sections 8 to 18 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 sections contain only the issues, objectives and policies, while the rules and other methods are contained in the appropriate zone(s). This is because the issues, objectives and policies are common across the District, while the methods are zone specific.
- 1.3.5 Sections 9 to 12 are site specific general provisions. They apply only to land that is specifically identified on the planning maps or referred to in the respective zone.

## **1.4 How to Use the District Plan**

- 1.4.1 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 respective zone rules.
- 1.4.2 The respective zone section of the planning document presents the specific controls for activities on properties in that zone. In some situations it is desirable to also look at the provisions of the specific activity environment as well as the zone (eg if a proposed industrial activity was being investigated in a Rural Zone it would be appropriate to consider both the specific Rural Zone provisions and the Industrial activity environment information). If the maps show specific indicators associated with the site (eg a natural hazard, heritage site) then the relevant section(s) must be referred to for any additional controls (Sections 9 to 12).
- 1.4.3 The other general provision sections (8, 13 to 18) should then be referred to as appropriate depending upon the nature of the proposed development.
- 1.4.4 For the structure of each section and a definition of its components, see 1.3.1.
- 1.4.5 Existing reserves are shown on the maps. They are not designated but are shown for information purposes only.

## **1.5 Technical Documents**

- 1.5.1 A series of Technical Documents have been prepared specifically for the District Plan.



These are not part of the District Plan but support and complement it by providing a more in-depth discussion of resource management issues. The Act (S.32) requires Council to consider alternatives and assess benefits and costs. The Technical Documents contain the full analysis of the adopted objectives, policies and methods contained within the District Plan.

1.5.2 The documents are based on the key District Plan oriented resources (not zones) and are as follows:

- (i) General - purpose of documents, consultation, requests
- (ii) Amenity
- (iii) Natural Environment
- (iv) Heritage
- (v) Public Utilities
- (vi) Community Facilities
- (vii) Growth Strategy
- (viii) Land
- (ix) Natural Hazards
- (x) Hazardous Substances
- (xi) Signs
- (xii) Surface of Water

## 1.6 Other Documents, Strategies

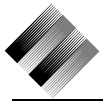
1.6.1 In addition to the Technical Documents (see 1.5 above), there are other key reference documents that are relevant to the preparation of the District Plan as well as to the preparation of the Technical Documents.

1.6.2 "Towards 2010: A Strategic Plan for the Development of the Western Bay of Plenty District" was prepared by a community consultative group and adopted by Council in May 1992 as a policy document for addressing matters that affect the District and its communities.

This document addressed a number of resource management issues both directly and indirectly and provided valuable input into the formation of objectives and policies for the District Plan. It is referred to extensively in the Technical Documents.

1.6.3 Ward-based discussion papers were distributed at the commencement of the District Plan preparation process. Feedback on these, including a series of Ward forum and Marae-based hui provided important input to the process.

1.6.4 Supporting analysis for previous Plan Variations and Changes involving noise controls, rural subdivision, the Minden Rural-Residential area and development contributions provide specific in depth reference material on these matters.



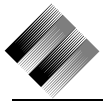
- 1.6.5 A joint Industrial Strategy was undertaken by the Western Bay of Plenty and Tauranga District Councils regarding the future provision of industrial land and appropriate controls.
- 1.6.6 A landscape analysis was carried out on behalf of the Council which identified key areas requiring specific attention.
- 1.6.7 Environment Bay of Plenty has produced a number of Issues Papers, Draft and Proposed Regional Plans, and a Proposed Regional Policy Statement. These have implications for the District Plan in both directive and complementary ways.
- 1.6.8 Refer Appendix VIII for full referencing of papers forming Section 32 Analysis.

## **1.7 Cross Boundary Issues**

- 1.7.1 Cross boundary issues involve the integrated management of natural and physical resources across Council boundaries. Addressing these issues will involve ongoing consultation and co-operation with other resource management agencies to ensure consistency of approach to significant resource management issues. This will involve the facilitation of joint actions to deal with cross boundary issues, consultation, liaison, and information sharing between agencies.
- 1.7.2 Perhaps the most significant boundary is with Tauranga District. This is reflected in the use of joint studies (notably industrial development and waste disposal) and regular contact on common issues.
- 1.7.3 Using similar approaches to other Districts is another means of addressing cross-boundary issues and includes landscape assessments, coastal hazards, and significant ecological areas. This is also reflected in the role of the Regional Council where it has co-ordinated a number of workshops on regional-wide issues.
- 1.7.4 The above approaches will continue to be used in the future along with the option of joint hearings.

## **1.8 Monitoring and Review**

- 1.8.1 Council is obligated under the Resource Management Act to monitor the effectiveness of its policy statements and plans, the implementation and performance 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.
- 1.8.2 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.



Council will produce an Annual Monitoring Report. The matrix in Appendix VI "Monitoring Schedule" identifies the monitoring methods to be employed for the various sections of the plan.

- 1.8.3 Council recognises that aspects of monitoring involve cross boundary issues and will co-ordinate with other agencies such as Environment BOP and the Department of Conservation to facilitate maximisation of resources.
- 1.8.4 Council recognises that the monitoring methodology has to take into account rapidly changing data capture capability necessitating a flexible approach to the process.
- 1.8.5 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.

