



## 1.0 RESOURCE MANAGEMENT ACT 1991

### 1.1 Purpose and Principles

This District Plan has been prepared in accordance with the provisions of the Resource Management Act 1991 which states:

#### **5. Purpose**

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (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 wellbeing 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.*

#### **6. Matters of national importance**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- [(f) The protection of historic heritage from inappropriate subdivision, use, and development.]*
- [(g) The protection of recognised customary activities.]*



## **7. Other matters**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- (a) *Kaitiakitanga:*
  - [(aa) *The ethic of stewardship:*]
  - (b) *The efficient use and development of natural and physical resources:*
    - [(ba) *The efficiency of the end use of energy:*]
  - (c) *The maintenance and enhancement of amenity values:*
  - (d) *Intrinsic values of ecosystems:*
  - (e) *Repealed.*
  - (f) *Maintenance and enhancement of the quality of the environment:*
  - (g) *Any finite characteristics of natural and physical resources:*
  - (h) *The protection of the habitat of trout and salmon:*
  - [(i) *The effects of climate change:*]
  - [(j) *The benefits to be derived from the use and development of renewable energy.*]

## **8. Treaty of Waitangi**

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*



## 1.2 Functions of the South Waikato District Council

The South Waikato District Council is defined as a territorial local authority under the Resource Management Act 1991. The Act specifies the following functions for territorial local authorities:

### 31. *Functions of territorial authorities under Act -*

*Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

- (a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- (b) The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards and the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:*
- (c) The control of subdivision of land:*
- (d) The control of the emission of noise and the mitigation of the effects of noise:*
- (e) The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
- (f) Any other functions specified in this Act.*

## 1.3 The District Plan

The Resource Management Act 1991 requires that all territorial local authorities prepare a District Plan. The Act states:

### 72. *Purpose of district plans -*

*The purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act.*

The District Plan is an important document for the South Waikato District. It covers matters specified in the Resource Management Act 1991 relating to the management of the use, development, or protection of land and any associated natural and physical resources for which the South Waikato District Council has responsibility.



The District Plan must not be in conflict with National Policy Statements, National Environmental Standards, Regional Policy Statements and Plans, and sits alongside other plans produced by the South Waikato District Council such as the Annual Plan.

The Resource Management Act 1991 requires one District Plan for the whole District which is to be prepared by the South Waikato District Council. The new District Plan will replace the *South Waikato Transitional District Plan* (which is made up of five former "District Schemes", or parts thereof) which are currently in place in the South Waikato District. These five former District Schemes are:

- (i) Matamata County District Scheme
- (ii) Tokoroa Borough District Scheme
- (iii) Putaruru Borough District Scheme
- (iv) Waipa County District Scheme
- (v) Rotorua District Scheme

The *South Waikato Transitional District Plan* maintains the existing set of policies and ordinances for the South Waikato District until the review process is completed resulting in one comprehensive District Plan for the whole District.

The five former District Schemes (or parts thereof) contain a wide range of policies and ordinances relating to land uses within the District. These policies and ordinances have directed the nature and location of development within the former local authorities that make up the South Waikato District.

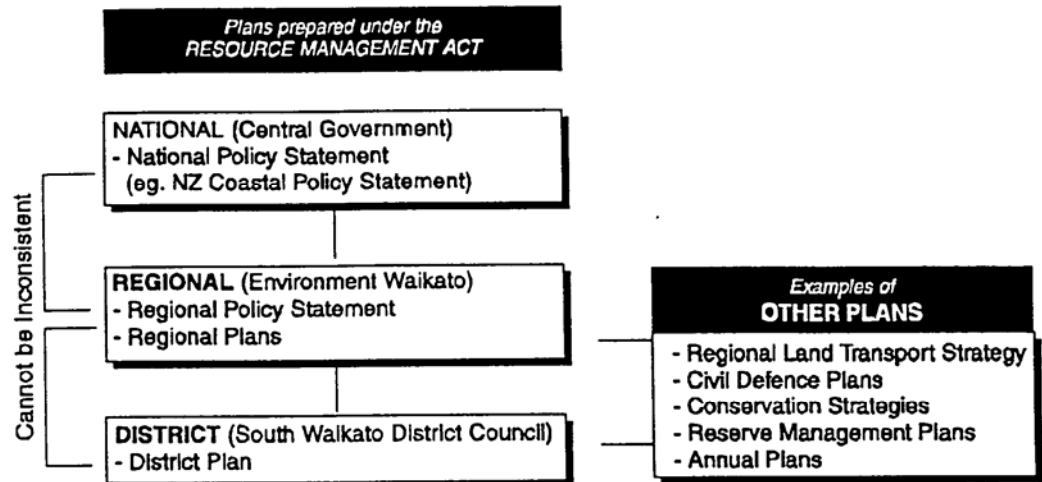
The main difference between the District Schemes and the new District Plan is a basic change in the way land use planning is looked at. The former Town and Country Planning Act 1977 focused on the control of land uses or activities whereas the Resource Management Act 1991 focuses on sustainable management of natural and physical resources and the environmental effects of activities.

#### **1.4 Relationship to other "Plans"**

A clear distinction needs to be made between the District Plan and the other plans produced by the South Waikato District Council. The District Plan is intended to be the main tool with which Council will promote the sustainable management of the District's natural and physical resources over the next ten years. It sits along side the Annual Plan which establishes short term objectives and deals with income and expenditure.



The following diagram shows the relationship between the South Waikato District Plan and plans produced by other organisations under the Resource Management Act 1991.



The District Plan cannot be inconsistent with a Regional Policy Statement prepared by Environment Waikato or a National Policy Statement prepared by Central Government. Throughout the development of the South Waikato District Plan consultation has been undertaken with Environment Waikato and the Ministry for the Environment regarding these matters. Consultation was also undertaken regarding a range of resource management issues relating to resources for which Environment Waikato has primary responsibility.

The South Waikato District Council and Environment Waikato have different resource management functions which are specified in Sections 30 and 31 of the Act. In summary, South Waikato District Council has primary responsibility for the control of effects of land uses, noise, subdivisions, hazardous substances and activities on the surface of water, rivers and lakes.

Environment Waikato has primary responsibility for matters such as water and soil conservation, taking of water, discharges of contaminants to the environment, regional land use issues and hazardous substances.



## **1.5 Development of the District Plan**

The Proposed South Waikato District Plan has been prepared in accordance with the requirements of the Resource Management Act 1991. A full description of the processes and methodology for the review of the Transitional District Plan is presented in Appendix F entitled Section 32 Process.