



APPENDIX F

Section 32 Process



SECTION 32 PROCESS

This appendix outlines the process Council followed to review the District Plan and explains how the process complied with the requirements of Section 32 of the Resource Management Act 1991.

- 1.0** The District Plan review began with the preparation of *the South Waikato District Council: Strategic Policy Document - Review of District Plan* which was released to the public for comment. This document outlined Council's "action plan" as to the process that would be undertaken to review the District Plan including details relating to the programme of community consultation that would be undertaken. To the best of Council's knowledge, this was a unique first step at the time. No other Council had publicly released a formal document at the very start of the District Plan review process detailing the methodology, or "Section 32 Process", that would be followed. Copies of the Strategic Policy Document were widely circulated and also forwarded to the Ministry for the Environment (MfE).
- 2.0** An initial programme of community consultation was undertaken. The purpose of this consultation was to seek the views of the community regarding resource management issues facing the District and desired environmental outcomes. This consultation helped identify the significant resource management issues within the District and formed the basis of the next stage of the District Plan review.
- 3.0** The *South Waikato District Council: Review of District Plan - Discussion Document* was prepared and released to the public for comment (including MfE). This document identified the resource management issues facing the District and formed the cornerstone of a major programme of community consultation. This involved numerous individual and group meetings including public meetings, and a period was allowed for public submissions.
- 4.0** All written and oral submissions received on the Discussion Document were collated and analysed.
- 5.0** A workshop was held with the South Waikato District Councillors and senior staff regarding the resource management issues and submissions.
- 6.0** Desired environmental outcomes for the District were identified based on the submissions and the workshop. These desired environmental outcomes were then developed as Planning Objectives for the District Plan.
- 7.0** Alternatives were then considered (along with the likely costs and benefits of those alternatives) for achieving the Planning Objectives. A range of approaches were considered including:

 - (i) Rules (e.g. compliance with Council's Code of Practice for Subdivision and Development).



- (ii) Performance Standards (e.g. maximum noise levels).
- (iii) Education (e.g. regarding recycling wastes).
- (iv) Annual Plan (e.g. expenditure on reserves to achieve ecological or recreation objectives).
- (v) Market Mechanisms (e.g. allow the interaction of supply and demand to determine the most appropriate location and amount of small lot subdivision).

An overall Resource Management Strategy was developed to achieve the sustainable management of natural and physical resources within the District. The Resource Management Strategy is documented in Section 4 of this District Plan.

- 8.0** Having determined the favoured alternative means of achieving the Planning Objectives, policies and likely methods were developed and presented in the *South Waikato District Council: Draft District Plan*. The Draft District Plan was widely circulated amongst the community and a copy forwarded to the Ministry for the Environment.
- 9.0** Comments received from the community on the Draft District Plan, including alternative means of achieving objective or desired environmental outcomes, were assessed as part of the on-going Section 32 analysis process and changes were then made to the District Plan as considered appropriate.
- 10.0** Following the analysis of the submissions received on the Draft District Plan, further consultation was undertaken with key interested parties throughout the development of the Proposed District Plan. Four detailed workshops were held with Councillors and Community Board members and analysis of the various policy options and associated methods continued with the key interested parties until the authors of the District Plan were satisfied that the planning and resource management provisions were appropriate for the District.
- 11.0** The principal reasons for the inclusion of the various objectives, policies and methods are presented at the end of each section of the District Plan along with the anticipated environmental results.



12.0 The final stage of the Section 32 Process is the statutory processes of formal submissions and hearings before Council, and the Planning Tribunal if required. Submissions and appeals raise further alternatives in terms of objectives, policies and methods, for Council's consideration. Having considered all the advantages and disadvantages (including costs and benefits) of all the resource management techniques used in the District Plan, Council adopted the most appropriate means of achieving the purpose of the Resource Management Act 1991.

Any person requiring the full details as to why a particular objective, policy or method has been included in the District Plan (and details of the "Section 32 Analysis" carried out in respect of that provision) should contact Council and arrange to be provided with that information. Such information will be provided to in response to individual requests in a form and level of detail that is appropriate to that individual's needs. The information is documented and collated under the following headings:

- (i) Resource Management
- (ii) Legislation
- (iii) Strategic Policy Document
- (iv) Discussion Document
- (v) Workshops
- (vi) Meetings, Correspondence, and Communication Records
- (vii) Submissions
- (viii) Census Data
- (ix) Regional Policies/Documents
- (x) Tangata Whenua
- (xi) Water
- (xii) Air Quality
- (xiii) Transportation
- (xiv) Public Works and Utilities
- (xv) Natural Hazards
- (xvi) Landscape and Visual Amenity
- (xvii) Solid Waste Management
- (xviii) Noise



- (xix) Heritage and Ecological
- (xx) Signs
- (xxi) Hazardous Substances
- (xxii) Subdivision and Development
- (xxiii) Rural Issues
- (xxiv) Urban Issues
- (xxv) Environment/Monitoring
- (xxvi) Forestry
- (xxvii) Electricity
- (xxviii) Airports
- (xxix) Other District Plans
- (xxx) Maps
- (xxxi) Drafts of District Plan
- (xxxii) Project Management
- (xxxiii) General

A bibliographic record of the above information is summarised in a report titled "Summary of Documentation Prepared under Section 32 of the Resource Management Act 1991".

Throughout the planning and implementation of the District Plan review process, Council had regard to the following sources of information and guidance.

- (i) Ministry for the Environment Publications, in particular:
 - a. *Guideline for District Plans*
 - b. *Section 32 - Guide to Good Practice*
- (ii) Relevant Planning Tribunal Decisions, in particular, **Foodstuffs (Otago Southland) Properties Ltd & Others v Dunedin C.C.** (Change 6 Dunedin) W53/93 2 NZPTD (1993) 2NZRMA 497 and High Court decision [1994] NZRMA 145.
- (iii) Other Draft and Proposed District Plans in the Waikato, Bay of Plenty, and Auckland Regions.



The list of resource management reports prepared and the plan sections considered in response to the requests for amendment, are listed below. The list is provided in partial fulfilment to the obligations placed on Council under Section 32 of the RMA 1991 to have a record of the documentation prepared in the course of formulating the plan.

Priority 1 Issues Report

Part A:	Introduction	
	Section 1.0	Resource Management Act 1991
	Section 2.0	Resources of the South Waikato District
	Section 3.0	Planning Objectives
	Section 4.0	Resource Management Strategy

Priority 2 Issues Report

Part B:	District Wide Planning Provisions	
	Section 7.0	Water
	Section 8.0	Air Quality
	Section 9.0	Transportation
	Section 10.0	Public Works and Network Utilities
	Section 19.0	Rural Zone
	Section 26.0	Airport Protection Zone

Appendix C	Designations
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Priority 3 Issues - Report 1

Section 12.0	Landscape and Amenity Values
Section 15.0	Heritage and Ecological Protection
Section 16.0	Signs
Section 20.0	Residential Zone
Section 21.0	Commercial Core Zone
Section 22.0	Commercial Fringe Zone

Priority 3 Issues - Report 2

Section 14.0	Noise
Section 23.0	General Industrial Zone
Section 24.0	Heavy Industrial Zone
Section 25.0	Reserve Zone
Section 27.0	Hydro-Electric Power Generation Zone



Priority 3 Issues - Report 3

Definitions	
Volume 2	Planning Maps
Volume 3	Code of Practice for Subdivision and Development
Section 13.0	Solid Waste Management
Section 11.0	Natural Hazards
Volume 4	Hazards Register
Section 18.0	Subdivision and Development

Priority 4 Issues Planning Report

Section 17.0	Hazardous Substances
Section 5.0	Administration
Section 6.0	Tangata Whenua

Special Purpose Reports

Raukawa Kaumatua Kaunihera/Raukawa Trust Board
Tasman Forestry Limited