

PART 1

SCOPE AND
LEGISLATIVE
FRAMEWORK OF THE
PLAN

1 SCOPE AND LEGISLATIVE FRAMEWORK OF THE PLAN

1.1 HISTORY OF THE PLAN

This Plan reviews and replaces the following district schemes prepared under the Town and Country Planning Act 1977 and deemed to be the Grey Transitional District Plan under the [Act](#):

Grey County District Scheme:

Greymouth Borough District Scheme:

Extensive consultation was undertaken prior to, and during, the preparation of this Plan, to ensure it reflects the concerns and aspirations of the community and addresses [Council's](#) obligations under the [Act](#).

The [Council's](#) initial mechanism for consultation was the Resource Management Issues and Options Report to which submissions were made. In addition, the [Council](#) has consulted with government and other statutory agencies, special interest groups and Tangata Whenua, and produced draft plans for consultative purposes.

1.2 PLAN ADMINISTRATION

This Plan belongs to the community and not the [Council](#). The [Council](#) shall undertake administration of the Plan in an open and transparent manner, fully consulting with, and involving, the public in its processes. Provisions of the Plan will be monitored to assess their effectiveness and efficiency.

1.3 PURPOSE OF THE DISTRICT PLAN

The purpose of the Grey District Plan (*the "Plan"*) is to assist the Grey District [Council](#) (*the "Council"*) to undertake its functions to achieve the purpose of the Resource Management Act 1991 (*the "Act"*), (**Section 72** of the Act refers).

1.3.1 FUNCTIONS OF THE GREY DISTRICT COUNCIL

The functions of the [Council](#) under the [Act](#) are set out in **Section 31** -

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

- i. 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:*
- ii. 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:]*
- iii. The control of subdivision of land:*
- iv. The control of the emission of noise and the mitigation of the effects of noise:*
- v. The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
- vi. Any other functions specified in this Act.*

1.3.2 PURPOSE OF THE RESOURCE MANAGEMENT ACT

Section 5 of the Resource Management Act 1991 sets out the purpose of the Act -

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 well being 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.*

1.3.3 PRINCIPLES OF THE RESOURCE MANAGEMENT ACT

Part II, Sections 6, 7 & 8 of the [Act](#) sets out the principals to achieve the purpose of sustainable management (as set out in Section 5 of the [Act](#)). These principles are:

Section 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."*

Section 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:*
- (c) *The maintenance and enhancement of amenity values:*
- (d) *Intrinsic values of ecosystems:*
- (e) *Recognition and protection of the heritage values of sites, buildings, places, or areas:*
- (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."*

Section 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).”

1.4 CONTENTS OF THE DISTRICT PLAN

The [Act](#) provides at **Section 75** that certain matters, amongst others, must be included in the District Plan -

- a) *The significant resource management issues of the district; and*
- b) *The objectives sought to be achieved by the plan; and*
- c) *The policies in regard to the issues and objectives, and an explanation of those policies; and*
- d) *The methods being or to be used to implement the policies, including any rules; and*
- e) *The principal reasons for adopting the objectives, policies, and methods of implementation set out in the plan; and*
- f) *The information to be submitted with an application for a resource consent, including the circumstances in which the powers under section 92 may be used; and*
- g) *The environmental results anticipated from the implementation of these policies and methods; and*
- h) *The processes to be used to deal with issues which cross territorial boundaries; and*
- i) *The procedures to be used to review the matters set out in paragraphs (a) to (h), and to monitor the effectiveness of the plan as a means of achieving its objectives and policies; and*
- j) *Any other information that the territorial authority considers appropriate; and*
- k) *Such additional matters as may be appropriate for the purpose of fulfilling the territorial authority's functions, powers, and duties under this Act.*

1.5 RELATIONSHIP WITH OTHER PLANS AND POLICY DOCUMENTS:

1.5.1 CONSISTENCY

In preparing and reviewing the Plan, consistency with other plans and policy documents relating to the District is required. The [Act](#), (**Section 75(2)**), states that the Plan “*shall not be inconsistent with,*

- a) *Any national policy statement or New Zealand coastal policy statement; or*
- b) *Any water conservation order; or*
- c) *The regional policy statement, or any regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part IV.”*

The [Council](#) will undertake Plan Changes, if necessary, where these plans or policy documents are prepared subsequent to this Plan.

In order to maintain consistency with other statutory documents, during the preparation of this plan, the [Council](#) in addition to its requirements under **Section 75(2)**, has had regard to the following documents, as required by **Section 74(2)** of the [Act](#):

- (a) *the provisions of the former regional planning schemes for the district where these are not inconsistent with Part II of the Act (s 367)*
- (b) *the proposed West Coast Regional Policy Statement and regional plans proposed;*

- (c) *management plans and strategies prepared under other Acts, such as the West Coast Conservation Management Strategy;*
- (d) *Iwi authority considerations;*
- (e) *district plans of adjacent local authorities (Section 74(2)).*
- (f) *New Zealand Historic Places Trust Register*

1.6 MONITORING

The Council also has a “*duty to gather information, monitor, and keep records*” in order to effectively carry out its function under the Act (Section 35). Undertaking this, the Plan, resource consents and the various environments that comprise the District will be monitored. Appropriate monitoring and review data is specified in Parts 3 and 4.

1.7 TERM OF THE PLAN

The Act (Section 73) requires the Grey District Council to have a District Plan. It is also a requirement of the Act (Section 79) that a full review of the District Plan is commenced not later than 10 years after the plan becomes operative. The life of the entire operative document, therefore, is 10 years before a comprehensive assessment is required.

It is not, however, a requirement that the plan remain in its original form for the 10 year period. Over time resource management issues may change and it is for this reason that provision is made under the Act for Changes to the Plan. Changes to the Plan may be initiated by individuals or the District Council.

1.8 CROSS BOUNDARY ISSUES

Resource Management issues will, from time to time, occur which cross District Boundaries. Where such situations occur joint processes will be utilised and consultation will be held with the appropriate District or Regional Council to ensure integration of all relevant information for decision making utilising joint processes.

The Councils currently discuss issues of common interest and where appropriate joint courses of action for attending to resource management matters will be considered.

Regular consultation will be undertaken with the Districts and Regional Council in order to maintain a clear understanding of issues which may impact on resource management in the Grey District.