

1. INTRODUCTION

1.1 Introduction

The Gore District Plan (“the District Plan”) is a statutory document prepared under the provisions of the Resource Management Act 1991 (“the RMA”). The purpose of the RMA is to promote the sustainable management of the District’s natural and physical resources.

The content of the District Plan, including its objectives and policies, is determined by the provisions of the RMA. That results in the following outline:

- Chapter 2 deals with certain issues that the RMA declares to be of national importance and must be dealt with in the District Plan.
- Chapter 3 contains the framework for considering the use of land, while Chapter 4 sets out the associated rules.
- Chapter 5 deals with transportation issues.
- Chapter 6 deals with hazardous substances.
- Chapter 7 deals with utilities.
- Chapter 8 contains all relevant provisions related to the subdivision of land.
- Chapter 9 sets out the approach to financial contributions.
- Chapter 10 explains the approach Council will use in dealing with cross boundary issues.
- Chapter 11 includes the definitions of particular words and phrases used in the District Plan.
- Appendix 1 lists all designations included in the District Plan.
- Appendix 2 includes relevant provisions from the Ngai Tahu Claims Settlement Act 1998.

1.2 How to use the District Plan

Locate the property on the Planning Maps. This will enable the identification of the Zone the property is in. Rule 4.2 lists the activities that are permitted on any site, while the remaining rules in section 4 set out the conditions that apply to the use of land. Where it is intended to carry out a use not provided for as a permitted activity, or where the use will not meet the conditions specified, then approval will be required from Council by way of a resource consent.

The Planning Maps also identify other specific provisions of the District Plan that apply to the property, for example:

- (1) any designations, in which case no new use may be carried out on the land without the approval of the designating authority (refer to Appendix 1);
- (2) outstanding natural features and landscapes (refer to Rule 2.2.9);

- (3) areas of significant indigenous vegetation and significant habitats of indigenous fauna (refer to Rule 2.3.9);
- (4) the margins of the Mataura River (refer to Rule 2.4.9);
- (5) sites of heritage value (refer to Rule 2.5.9);
- (6) archaeological sites of significance to the Mana Whenua (refer to Rule 2.6.9);
- (7) a statutory acknowledgement area (refer to section 2.6.11);
- (8) areas subject to a natural hazard (refer to Rule 4.11.1).

Regard must also be given (where relevant) to the provisions of Chapter 5 (transportation) and Chapter 6 (hazardous substances).

Where utilities are being provided, then Chapter 7 contains rules that are separate from the rules contained in Chapters 4 – 6.

If subdivision of land is intended then reference is required to Chapter 8. All subdivision requires the approval of Council, and a list is given of matters to be included in a subdivision consent.

Where either a land use consent or subdivision consent is lodged with Council, then Chapter 9 sets out the circumstances where a financial contribution may also apply.

It should also be noted that:

- (1) Lawfully existing land use activities are protected in terms of Section 10 of the RMA.
- (2) Although rules in this Plan may be complied with, or the activity has existing use rights, where the effect of any activity creates some nuisance, or could adversely effect the health of people or the environment, action can be taken under the RMA, or other legislation such as the Health Act, to control or prevent those effects.

1.3 Submitting resource consent applications

Where the rules of this Plan require the submission of an application for resource consent, the RMA requires that the proposal be clearly explained. That will require setting out firm details including an explanation of what is intended, any conditions or restrictions proposed, and, where relevant, plans of the site or buildings.

Where plans are submitted, they should be capable of being photocopied, drawn to metric scale and show (where relevant):

- (1) property boundaries and road frontages, with the distance of activities and buildings from the boundaries and road frontage.
- (2) relevant physical features on the site, including waterways, fence lines, bush areas, roads or tracks and structures (including any electricity lines and utilities on the site).
- (3) areas of existing or proposed cut or fill, and details of any retaining walls.

- (4) vehicle access points to the property and areas to be used by vehicles and for parking.
- (5) for buildings – internal layout, elevations, details of external appearance and relevant recession planes.
- (6) areas to be used for the disposal of sewage and stormwater.

In preparing any resource consent, applicants are encouraged to consult with those persons who have an interest in the proposal, or who could reasonably claim to be affected by it. Council staff can provide guidance on this matter.

The appropriate forms and other relevant information are available from Council offices. The forms list particular information to be submitted with the application. Applicants are also required to include an Assessment of Environmental Effects with the resource consent application. The detail contained in this assessment should reflect the scale of the activity and be in a form that is easily understood.

An Assessment of Environmental Effects should include, where relevant:

- (1) Details of the site subject to consent, including:
 - (a) the activities carried out on it;
 - (b) any previous resource consents applied for;
 - (c) any information relating to the site shown on the Planning Maps (including areas shown as being affected by Matters of National Importance);
 - (d) a copy of the Certificate of Title for the property.
- (2) A general description of the area and the activities that take place on adjoining land.
- (3) Details of the proposal.
- (4) The District Plan provisions that the proposal does not comply with, together with reasons why the proposal does not comply with those Rules.
- (5) The implications of not complying with the Rules, particularly as they relate to effects on adjoining land or other land in the vicinity.
- (6) Where adverse effects are identified, the means by which those effects can be avoided, remedied or mitigated.
- (7) A summary of any consultation undertaken and the outcome of that consultation.
- (8) Details of any relevant objectives and policies in the District Plan and comment whether the proposal is compatible with or contrary to the objectives and policies.
- (9) Any other information considered relevant.

Applicants should also note that where a proposal does not comply with a particular rule, the information requirements as set out following that rule must also be provided.