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1.0 INTRODUCTION

1.1 Citation

This plan is the Proposed Gisborne District Combined Regional Land and District Plan. This document will be referred to through out as 'the Plan' or 'this Plan' where required. Reference to 'Council' or 'the Council' will be understood to mean the Gisborne District Council unless the context requires otherwise. Any acronyms used throughout the document will be identified in the text as appropriate. A list of acronyms is located in the appendix.

1.2 Purpose and Aim

The purpose of the preparation, implementation and administration of the Draft Combined Regional Land and District Plan is to assist the Gisborne District Council in carrying out its functions in the sustainable management of natural and physical resources within the Gisborne district under the Resource Management Act 1991 (The Act). The aim of this Plan is the sustainable management of the district's resources. Sustainable management is defined by Section 5 in the Act as:

"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."*

In addition to the sustainable management of natural and physical resources, Gisborne District Council must also recognise and provide for matters of national importance as outlined in Section 6 of the Act. There is also a requirement to have particular regard to other matters stipulated in Section 7 in addition to taking into account the principles of the Treaty of Waitangi (Section 8).

1.3 Policy Framework

Management of the district's resources prior to the notification of regional and district plans is performed under the provisions of Transitional Plans and the Act.

Under the Act, central and local government have a number of responsibilities which must be fulfilled in order to carry out their stipulated functions under the Act. There exists a requirement under Section 57 for at least one New Zealand Coastal Policy Statement to be in existence. This Statement has been prepared by the Minister for Conservation as required. Central government also has the opportunity to prepare national policy statements and national environmental standards under Section 43-44 and 44-45 respectively. To date no such statements or standards have been developed. In addition to this, regional and territorial authorities also have planning responsibilities under the Act.

Regional councils have a requirement under Section 60 to prepare a RPS for their respective regions. Regional councils are also required to prepare a Regional Coastal Plan for the coastal marine area of their region.

Territorial authorities have mandatory requirements under Section 78 to prepare a district plan to assist in the carrying out of their functions under the Act. The preparation, implementation and administration of additional regional plans by regional councils may also be undertaken as required but is not a compulsory activity.

Gisborne District Council is a unitary authority. This means that the Council has the functions of both a regional and territorial authority as outlined by Section 30 and 31 respectively.

A particular advantage of having a unitary authority is the opportunity this structure provides for integration of regional and territorial activities and plans to achieve a holistic and complementary approach to resource management. This Plan aims to achieve a more integrated approach to management of the region's natural and physical resources.

The Plan, as a regional and district planning document, must not be inconsistent with any national statement or environmental standards or the New Zealand Coastal Policy Statement. It should also not be inconsistent with Gisborne District Councils' own RPS. The internal consistency must also be such that the district plan provisions are not in conflict with the regional planning aspects of the document. The Plan will in conjunction with other plans which are being prepared or are in various stages of notification seek to manage the district natural and physical resources in a sustainable manner.

1.4 Duration and Jurisdiction of the Plan

This plan will have a life of ten (10) years. The plan will be reviewed throughout this period to enhance its efficiency and effectiveness. Changes in response to directives from case law and any national policy statement or plans will also need to be incorporated into the Plan during these reviews. Changes will be made to the Plan in circumstances where monitoring indicates trends and/or effects that are inconsistent with the objectives and policies contained herein.

The Draft Combined Regional Land and District Plan will apply to the entire Gisborne District. A description of this area and the resources which are contained within the district is located in the RPS Section 6.0.

1.5 Preparation of the Plan

Preparation of plans has implications for the community as a whole. As such, their involvement in the development of this document is important. In addition, tangata whenua as Treaty partners with the Crown have a right to be involved in a specific way during preparation of documents which assist in the sustainable management of natural and physical resources. This involvement is to ensure that Maori values are taken into account in the planning process and reflected in outcomes. A discussion of tangata whenua involvement in resource management is outlined in the RPS Sections 4.1, 9.2, 9.3 and 9.4. The manner in which the plan has been developed to this stage reflects Council's requirements to consult.

In addition to the ongoing consultation throughout the preparation process of the Draft Combined Regional Land and District Plan, further opportunity for public input was provided. The release of a draft document allowed members of the public to suggest changes or express support prior to the official notification of the Plan. Once the Plan has been notified, there is also opportunity for the public to make submission on any aspect of the Plan then to offer further submissions and to appeal any Council decisions reached if they feel the need.

The diagram below outlines the plan process:

1.6 Combined Plan Process

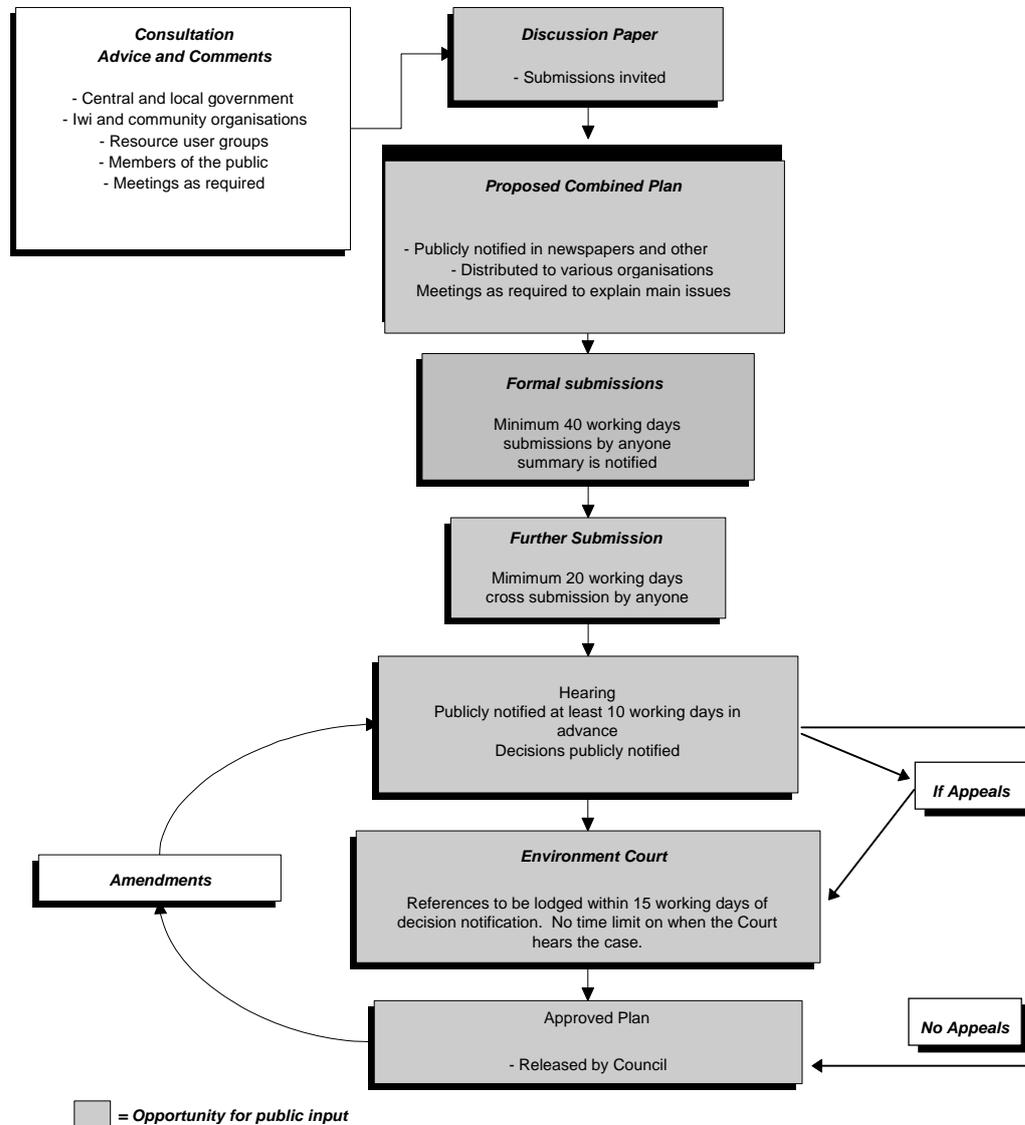


Figure 1 Flow Chart of Plans

1.7 Structure of the Plan

The structure of the Plan reflects the requirements for regional and district plans as outlined by Section 67 and Section 75 respectively. These requirements make the development of a seamless, integrated regional/district planning document possible.

The structure of the Plan is such that chapters have been established to deal with specific topics. Due to the diverse nature of certain of the issues, not all the relevant aspects are able to be addressed completely within a single chapter. Cross-referencing has been used, where required, to draw attention to additional appropriate Sections of the plan.

Each of the chapters will utilise the following format to address topics:

- **Issues** - the issue statement identifies natural and physical resource matters of interest or concern to the region's community. Identification of issues assists policy development by highlighting the need for intervention.
- **Objectives** - statement of a desired outcome. This is what Council would like to see as a result the issue being resolved.
- **Policies** - a statement that guides or directs decision-making. A policy indicates a general course of action in working towards an objective.
- **Methods** - a specific action, procedure, programme or technique adopted to carry out a policy. Methods give effect to policy.
- **Rules** - a district rule or regional rule. Rules are regulatory instruments which have the force of regulations and may prevent, regulate or allow activities. Rules include matters to which regard will be had and defined activity classes (permitted, controlled, restricted discretionary, discretionary, non-complying and prohibited) for specific activities. Unless otherwise stated, the rules in the Plan are to be deemed District rules. Chapter 5 – Natural Hazards, Chapter 6 - Vegetation Clearance and Land Disturbance, Chapter 7 - Beds of Lakes and Rivers, and parts of Chapter 4 - Natural Heritage contain regional rules.
- **Principal Reasons and Explanation** - Objectives, policies and rules are supported by identifying a principle reason for their adoption in the Plan. Issues and policies are backed up by explanation. Principal reasons and explanations assist in informing the reader or user of the Plan as to Gisborne District Councils' rationale behind the adoption of specific aspects of the plan.
- **Reviewing and Monitoring** - Review and monitoring of the plan, and compliance, impact and state of the environment monitoring will also be addressed in the Plan. Any monitoring in relation to the requirements of specific policies and rules as identified in chapters will be addressed in the monitoring chapter. In addition, a monitoring chapter outlining aspects of monitoring within the Gisborne District will also be included.
- **Anticipated Environmental Results** - the intended result or outcome on the environment as a consequence of implementation of policies and methods. Identifying the expected end results enables an assessment of the success of the policies and methods to be performed.

This structure is established in order to meet the requirements of Sections 67 & 75.

The following classes of activities will be use throughout the document:

- **Permitted Activity:** The activity is allowed without the need for a resource consent if it complies with the rules (if any) detailed in the Plan.
- **Controlled Activities:** A controlled activity is one which the Gisborne District Council **MUST** grant a resource consent for but may impose conditions. Other than permitted activities - this is the least regulatory form of rule in a plan and is designed to accommodate activities with small effects but which can, if poorly managed result in adverse environmental effects.
- **Discretionary Activities:** A discretionary activity is, as the name suggests, an activity for which a resource consent may or may not be granted. This activity class is used if it is uncertain whether the activity is appropriate or not. This activity class includes activities with adverse effects which are uncertain for landusers, Council and the wider public. It is possible to limit the types of things Council sets conditions on when dealing with an application and this approach does provide greater certainty. Where possible limits of discretion will be identified when using this class of activity.

Non Complying Activities: Council needs to satisfy itself when assessing a non complying activity that either the adverse effect on the environment will be minor or granting the consent is not contrary to the objectives and policies of the Plan. If this threshold test cannot be met Council cannot grant the resource consent.

- **Prohibited Activities:** As it states, the activity is expressly not allowed by the plan, nor will a resource consent be granted for such an activity.

1.8 Integrated Management

Integrated management is a very important concept identified in the Act although a definition of this term is not provided.

Integrated management should occur across a range of contexts. Some of these include:

- the need to manage the environment as a holistic entity and to have some understanding of how effects may be transferred between resources;
- consistency between Gisborne District Council planning documents;
- consideration and accommodation of the different agencies and organisations (both government and non-government organisations) and their roles to enable co-operation and co-ordination of efforts, where appropriate, to achieve similar goals;
- having regard to other management plans and strategies prepared under other acts, relevant planning documents recognised by iwi authorities and affected by the regional plan, relevant entries made in the Historic Places Register, regulations relating to conservation or management or taiapure or fisheries, any Resource Management Act 1991 regulations and the need to achieve consistency with RPS of adjacent regional councils;
- the need for integration between departments within Council itself; *and*
- any policy provisions adopted for the integrated management of the region.

The need to plan in an integrated and holistic manner has resulted in this combined regional and district document. The provisions of this Plan are developed as either regional council or territorial authority functions respectively under section 30 or section 31 of the Act. The development of this Plan has also reflected integrated management techniques including consultation across the Council departments and with other organisations. Development of policy has been undertaken with due consideration given to other Council documents (including Gisborne District Council documents and those developed by other Councils with whom Gisborne shares a boundary) and plans developed under other legislation. There are a considerable number of other pieces of legislation available, a list of examples is located in the RPS Section 2.2.

It is however, necessary and appropriate to divide the topics to be addressed into relevant chapters to allow issues to be dealt with specifically. Due to the nature of the subject matter addressed and the interconnected character of ecosystems some issues will not be able to be addressed in the one topic alone. Cross-referencing will be used to direct attention to other appropriate chapters as necessary.

1.9 Guide to Using the Plan

The Plan has been divided into a number of chapters relevant to the topics they address but are linked to other chapters in the plan through the use of a cross referencing system. These chapters are not discrete entities to be read in isolation. The use of cross-referencing highlights this. The nature of the topics which each of these chapters addresses is such that a hierarchy has been established between chapters. There are some chapters (the overlay chapters) which establish policies and rules for management of natural and physical resources throughout the district. These chapters include Cultural Heritage, Natural Heritage, Natural Hazards and the Land chapter. The provisions in these chapters apply over all areas regardless of other zoning or activity criteria established by other chapters. All activities which are controlled through other chapters, such as signs and residential activities, must also meet the requirements of the overlay chapters. The need to comply with these overlay chapters has been identified within each of the other chapters. The following is a list of overlays with references to their location in the Plan and appendices. All the overlay areas are mapped except for the Riparian Management Overlay Area and Wetland Areas.

LIST OF OVERLAYS TO BE INCLUDED ON COMPLETION OF THE PLAN