

Management Plan Technique

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MPT.1 Description and Expectations

The purpose of the Management Plan Technique is to facilitate subdivision and development in a flexible manner while ensuring the sustainable management of natural and physical resources in an integrated way. Management Plan Technique is one subdivision and development method available in the District Plan and is an alternative method to traditional forms.

Site specific design provides the opportunity for integrated subdivision or development which results in superior outcomes to more traditional forms of subdivision, use or development. When subdivision and development are designed where the location, form and scale of the proposal complements sustainable environmental management, consistent with the protection of natural character, landscape, amenity, heritage, and cultural values, opportunity for subdivision and development is increased.

The management plan technique provides flexibility to create innovative proposals. The degree of flexibility will be proportional to the level of certainty provided upon resource consent application to encourage alternative solutions and thinking outside the box. Process of compliance with the District Plan flexibility, will be available where a management plan achieves desired environmental outcomes.

Provision for management plan development will be provided within Environments and at a scale where detailed site specific design is appropriate. Environmental outcomes achieved by management plan development are directly reliant upon prescriptive policy description within the District Plan. Council must undertake a plan change to make eligibility of the Management Plan Technique available to other areas in the District. Any such plan change(s) will require consideration of:

- a. Eligibility criteria, is Management Plan Technique the best method to achieve sustainable management under the Resource Management Act or should it be an alternative method;
- b. Prescriptive policy within Environment and/or Policy Area provisions to direct environmental outcomes of management plan development and give effect to MPT.1.3.
- c. Matters of assessment or information requirements for applications (MPT2.8 Particular Matters to be Assessed) utilising the Management Plan Technique to ensure consistency with the relevant Environment, Policy Area and District Wide provisions;
- d. Notification provisions and criteria to ensure transparency of public participation.

Rolling review of the District Plan will increase prescriptive policy. The management plan technique will only be available as and when policy prescription is appropriate.

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MPT.1.2 Eligibility Rule

Management plan technique is a type of approach to development design and consent. The content within this section relates to the technical technique of management plan. Eligibility to use the management plan technique is strictly controlled.

The Management Plan Technique shall only be considered where provided for in the development eligibility statement for the relevant Environment and/or Policy Area. The Management Plan Technique is available in the following Environments and/or Policy Areas:

- a. Urban Transition Environment.

Use of the Management Plan Technique outside these Environments and/or Policy Areas shall be a non-complying activity.

MPT.1.3 Objectives

1. Opportunities are provided for flexible and innovative subdivision and development to achieve holistic outcomes.
2. Integrated manage of effects between subdivision and land use to result in superior outcomes to more traditional forms of subdivision, use and development.

MPT.1.4 Explanation

Management Plan Technique provides direction for the release of the technique and sets out matters for Council consideration when preparing the relevant Plan Change.

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MPT.2.1 Description and Expectations

The purpose of management plan development is to facilitate subdivision and development in a flexible manner while ensuring the sustainable management of natural and physical resources in an integrated way.

To achieve sustainable management of natural and physical resources, and a holistic approach to site specific design, development shall recognise and avoid incompatible land use. Where appropriate the potential for reverse sensitivity effects should be avoided, remedied or mitigated. To reduce cumulative or ad-hoc development, the Management Plan Technique should be a one off method for site specific design.

In rural and coastal areas subdivision, use and development shall preserve and where possible enhance, restore and rehabilitate the character of the applicable Environment (zone) in regard to section 6 matters of the Resource Management Act 1991, and shall avoid adverse effects as far as practicable by using techniques including:

- a. clustering or grouping development within areas where there is the least impact on natural character and its elements such as indigenous vegetation, landforms, rivers, streams and wetlands, and coherent natural patterns;
- b. minimising the visual impact of buildings, development, and associated vegetation clearance and earthworks, particularly as seen from public land and the coastal marine area;
- c. providing for, through siting of buildings and development and design of subdivisions, legal public right of access to and use of the foreshore and any esplanade areas;
- d. through siting of buildings and development, design of subdivisions, and provision of access that recognise and provide for the relationship of Maori with their culture, traditions and taonga including concepts of mauri, tapu, mana, wehi and karakia and the important contribution Maori culture makes to the character of the District;
- e. providing planting of indigenous vegetation in a way that links existing habitats of indigenous fauna and provides the opportunity for the extension, enhancement or creation of habitats for indigenous fauna, including mechanisms to exclude pests;
- f. protecting historic heritage through the siting of buildings and development and design of subdivisions.

In urban areas and built environments subdivision, use and development shall avoid adverse effects as far as practicable by using techniques including:

- a. Urban design principles developed in accordance with the New Zealand Urban Design Protocol.
- b. Planning infrastructure framework incorporating alternative engineering solutions, where practicable, for:
 - Roading;
 - Wastewater;
 - Stormwater;
 - Water;
 - Public open space.

Note: Management plans established and implemented under the provisions outlined in this chapter are different to Mineral Extraction Management Plans as provided for in Chapter 64 of the District Plan.

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MPT.2.2 Eligibility Rule

Any resource consent application utilising the Management Plan Technique shall comply with provisions MPT.2.4 to MPT.2.8.

MPT.2.3 Explanation

Management Plan Application provides direction for the assessment of resource consent applications utilising the Management Plan Technique and sets out matters for Council consideration.

MPT.2.4 General Policies

1. To avoid physical site constraints when designing subdivision and development on a site specific basis, where mitigation and remediation will not result in sustainable management.
2. To provide for flexible and innovative, implementation of subdivision and development to achieve superior outcomes.
3. To ensure that the management plan will provide for the ongoing management of the sites to achieve sound resource management.
4. To integrate the management of effects between subdivision and land use, via management plan conditions.
5. To require robust preparation and assessment process of integrated subdivision and development.
6. To ensure that all matters relating to infrastructure servicing and engineering shall be designed consistent with the outcomes sought by Environmental Engineering Standards 2010.
7. To recognise, maintain and enhance the unique characteristics and attributes of the surrounding environment as indicated by way of Overlay and Policy Areas on the Planning Maps.
8. To ensure subdivision and development of land is provided for in such a way as will be consistent with the District wide provisions and purpose of the various Environments in the Plan.
9. To ensure subdivision and development recognise and provide for any relevant structure plan.
10. To ensure subdivision and development has particular regard to adjacent land development activities.
11. Subdivision and development of land undertaken on a site specific basis shall recognise and avoid the potential for reverse sensitivity effects.

MPT.2.5 Type of Consent

Management Plan Technique is a type of approach to development design and consent. Resource consent applications made under the Management Plan Technique provisions shall be considered as a land use consent, unless combined land use and subdivision consent is expressly requested.

Activity status of any resource consent application made under the Management Plan Technique provisions shall be determined by the relevant District Wide, Environment and/or Policy Area provisions.

Resource consent granted under the Management Plan Technique shall be considered to be '*given effect to*' when the Council approved management plan is registered against the Certificate of Title of the subject site.

Once a land use consent has been approved by Council under the Management Plan Technique

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provisions, any future subdivision of the subject site will require separate approval from Council. The future subdivision shall be considered as a permitted activity subject to Certificate of Compliance certification in accordance with section 139 of the Resource Management Act 1991 where the subdivision is in accordance with a Council approved management plan, registered against the Certificate of Title.

Any proposed activity that does not comply with an approved Management Plan that has been given effect to, is a non-complying activity and will require resource consent approval under the relevant District Wide, Environment and/or Policy Area provisions.

MPT.2.6 Info Requirements

All applications for consent using the management plan technique shall include, in addition to the standard information required under Schedule 4 of the Resource Management Act 1991, the following information:

1. Any information required to assess the proposal against relevant development eligibility, objectives and policies.
2. Draft Management Plan, completed in the Council's prescribed form and manner (to be finalised in accordance with the conditions of consent) setting out, the extent relevant to the proposal;
 - a. The objectives of the proposal (managing expectations);
 - b. The mechanisms to ensure that the management plan applies to and binds future owners;
 - c. Proposals for staging of development including, where a subdivision is to be staged, arrangements for vesting any reserves, access facilities (vehicle and pedestrian) or public utilities required by the resource consent and located in subsequent stages.
3. Any additional information Council may require on aspects of the proposal.

MPT.2.7 General Matters to be Assessed

All applications for consent using the management plan technique shall be assessed against the following general matters:

1. Adequacy of compliance with the prescribed management plan form.
2. Adequacy of the management plan including and not limited to the:
 - On-going compliance provisions prescribed within the management plan;
 - Method of registration proposed to give effect to the management plan;
 - Extent to which physical site constraints have been taken into account;
 - Development proposal and consent timing and/or staging;
 - Method of compliance provisions prescribed within the management plan to meet requirements of sections, 108, 220, 223 and 224 of the Resource Management Act, where future subdivision is considered.
 - Clarification of development flexibility within the realm of the management plan (triggers to alternative consent requirements).
3. Compliance with the management plan development eligibility requirement for the relevant Environment and/or Policy Area.
4. Fulfillment of the development standards for the relevant Environment and/or Policy Area and District Wide Rules.
5. Fulfillment of any relevant District Wide, Environment and/or Policy Area objectives and

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policies.

6. Consideration of the provisions of any relevant structure plan that has been prepared for the locality.
7. Consideration of and cognisance with provisions and proposals of other management plan on an adjoining property.
8. Whether bonds are necessary to assist in achieving the management plan.
9. The extent to which information and proposed management measures are provided by suitably qualified persons.
10. The extent to which reverse sensitivity effects on existing environment are avoided, remedied or mitigated.
11. Consideration of designations, including where applicable, written approvals pursuant to section 176 of the Resource Management Act.

MPT.2.8 Particular Matters

All applications for consent using the management plan technique shall be assessed against the following particular matters:

1. Urban Transition Environment:
 - a. Appropriateness of UTE.2.1 Discretionary Activities;
 - b. Appropriateness of commercial or industrial activities.
 - c. The effects of the development on existing local roads and State highways, including intersections, by way of a Traffic Impact Assessment.

Revision and Sign-off Sheet

Date Approved	Editor	Paragraph	Change Reference	Decision Date	Approved By
12 October 2011	FP	New Chapter	Plan Change 103 – addition of new chapter to the District Plan.	Operative Date 26 October 2011 TRIM 11/92018	PW
10 May 2016	TB	Whole Chapter	Re-formatting of Chapter to ensure consistency.	Clause 20A Memo TRIM 16/55469	MM

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