

Proposed Kaipara District Plan:

How does the Resource Management Amendment Act 2009 affect the Plan?

There are new provisions for when plan rules take effect. Rules in proposed plans now do not have legal effect until after decisions have been made on submissions. However, where the rule protects or relates to water, air, soil (or soil conservation purposes); protects areas of significant indigenous vegetation or significant habitats of indigenous fauna; or protects historic heritage these rules are effective from the time the plan is notified. In addition to this the objectives, policies and other issues, reasons, or methods in the plan must be considered from the time the plan is notified.

In terms of the Proposed Kaipara District Plan 2009 the following rules will take effect from the date of notification (21 October 2009):

Parameter	Rule
Network Utilities	Rules 10.11.2 to Rule 10.11.11 inclusive; Rule 10.12.1; Rule 10.12.2
Excavation and Fill	Rules 12.10.1; Rule 13.10.1; Rule 14.10.1; Rule 15A.10.1; Rule 15B.10.1
Vegetation Clearance	Rule 12.10.2; Rule 13.10.2; Rule 14.10.2; Rule 15A.10.2; Rule 15B.10.2
Setbacks (Overlays)	Rule 12.10.7(2); Rule 13.10.7(2); Rule 14.10.7; Rule 15A.10.8; Rule 15B.10.8
Separation Distance	Rule 13.10.8; Rule 15A.10.10; Rule 15B.10.10
Contaminated Land Change of Use	Rule 12.10.17; Rule 13.10.19; Rule 14.10.19; Rule 15A.10.17; Rule 15B.10.17;
Contaminated Land Remediation	Rule 12.10.18; Rule 13.10.20; Rule 14.10.20; Rule 15A.10.18; Rule 15B.10.18
Hazardous Substances	Rule 12.10.19; Rule 13.10.21; Rule 14.10.21; Rule 15A.10.19; Rule 15B.10.19
Radioactive Materials	Rule 12.10.20; Rule 13.10.22; Rule 14.10.22; Rule 15A.10.20; Rule 15B.10.20;
Plant or animal effluent storage / disposal	Rule 12.10.21; Rule 13.10.23; Rule 14.10.23; Rule 15A.10.21; Rule 15B.10.21

Parameter	Rule
Preservation of Natural and Cultural Heritage Subdivision	Rule 12.12.2; Rule 13.11.3; Rule 15B.11.2 <i>(Note: Excludes Preservation of Natural and Cultural Heritage Subdivision for the protection of Notable Trees)</i>
Environmental Benefit Subdivision	Rule 12.13.1; Rule 15B.12.1
Esplanade Management (Performance Standards)	Rule 12.15.9; Rule 12.15.10; Rule 13.13.9; Rule 13.13.10; Rule 14.13.9; Rule 14.13.10; Rule 15B.14.9; Rule 15B.14.10
Chapter 17. Heritage	All Rules in Chapter 17 are effective
Development on a Reserve Management Unit that is subject to a Reserve Management Plan or Conservation Management Strategy	Rule 20.10.1
Subdivision Performance Standard	Rule
Stormwater Disposal (Subdivision Performance Standards)	Rule 12.15.5; Rule 13.13.5; Rule 14.13.5; Rule 15B.14.5
Wastewater Disposal (Subdivision Performance Standards)	Rule 12.15.6; Rule 13.13.6; Rule 14.13.6; Rule 15B.14.6

If there are other questions you want answered please feel free to contact Council.

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