

SOUTHLAND REGIONAL COUNCIL
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RESOURCE MANAGEMENT ACT 1991

**SOUTHLAND
REGIONAL PLAN**

NO. 305.....

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SOUTHLAND REGIONAL COUNCIL

SOUTHLAND REGIONAL PLAN

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PREFACE

The Resource Management Act 1991 (the Act) introduces a new regime for the management of the natural and physical resources of the Southland Region (the Region). As a part of the first step to the management of these resources the transitional provisions of the Act require the Southland Regional Council (the Council) to prepare a Regional Plan incorporating a number of controls which were in effect prior to the Act coming into force. Those controls are referred to as rules. Different rules relate to different parts of the Southland Region depending upon the Catchment Board within which the area was located prior to local government re-organisation in 1989. While the majority of the Southland Region was previously located within the Southland Catchment Board area there are parts of the region which were previously located within the Otago and West Coast Catchment Board areas, as shown on Plan 7.1. As a consequence the Regional Plan includes a number of rules relating to each of these areas.

The content of the formal Southland Regional Plan as required by the Act is set out in Section 1. The full documents which comprise the Regional Plan are available for inspection at the office of the Council, corner of Price Street and North Road, Waikiwi. These documents contain those matters listed in section 368 of the Act as applying to all or parts of the Region as at 30 September 1991.

To provide an understanding of the Regional Plan and assist in its administration the Council has prepared supporting information which interprets the provisions of the Act, and the rules and controls which apply within the region as a result of matters contained in the Regional Plan. The intent is to present the content of the Regional Plan in a form which is easier to understand and follow than would otherwise be the case, and set out the interpretation which the Council intends to put on the rules and controls applying to the area which the Plan covers. That area is all of the Southland Region with the exception of the coastal marine area. The coastal marine area is subject to the provisions of the Southland Regional Coastal Plan.

The explanatory portions of this document are as follows :

- Section 2 explains how to use this document and defines the terminology relating to activities contained in the Regional Plan.
- Section 3 sets out the instruments (rules and controls) which section 369 of the Act requires to be included in the Plan.
- Section 4 details all of the rules which arise as a result of the content of the Regional Plan.

Those rules including the letter :

"S" as part of the rule number relate to those parts of the Region which in the past were included within the former Southland Catchment Board area (eg Rule 4.2.S1);

"O" as part of the rule number relate to those parts of the Region which were previously contained within the Otago Catchment Board area (eg Rule 4.3.2.O1); and

"W" as part of the rule number relate to those parts of the Region which were previously contained within the West Coast Catchment Board area (eg 4.4.3.W1).

Section 5 refers to the provisions of the Operative Regional Scheme. The Council is required to have regard to these provisions while the Regional Plan is in force;

Section 6 describes the processes of changing and reviewing the Plan;

Section 7 contains a series of plans which indicate areas to which particular rules or provisions apply.

In addition to this document the Council has prepared three other relevant documents.

1. Resource Management Framework

This outlines the broad structure of the Act within which resource management is undertaken at the national, regional and district levels.

2. Regional Coastal Plan

This document sets out the Regional Coastal Plan containing those matters required to be included in the Plan by section 370 of the Act, and applying to those parts of the region within the coastal marine area.

3. Consents under the Resource Management Act 1991

This describes the process to be followed in obtaining resource consents under the Act, and other matters relevant to resource consents.

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4.4.2 Southland Catchment Board Bylaw No. 1 1955

This bylaw came into force on 1 November 1955 and was amended with effect from 1 June 1967, 10 August 1979, 3 February 1984 and 14 February 1991.

Rule 4.4.2.S1 Fires in Fire Area

Setting fire to any tree, shrub, grass or other plant, whether growing on land or severed therefrom, except in a properly constructed fireplace or within the curtilage of a dwelling-house or causing or permitting a fire to spread to any land within the Fire Area shown on Plan 7.3 is a discretionary activity, except that :

- a Within areas included within Zone B of the Fire Area burning is a permitted activity between 1 May and 30 September in any one year;
- b Within areas included within Zone C of the Fire Area burning is a permitted activity all year.

Except that the Council may when weather conditions arise, which in its opinion present extreme fire hazard, authorise an Officer of the Council to issue an order by radio or other method of notification suspending all or any consents to burn.

Where, in the opinion of the Council, or any Officer of the Council, a fire is likely to create an erosion or flooding hazard on any land in the Fire Area and is out of control or is likely to get out of control, any Officer of the Council may enter on the land or any adjacent land with assistants, vehicles and machinery and there take such steps as may reasonably be necessary or advisable to extinguish or control the fire, including the falling of timber and the digging or burning of fire-breaks.

Any person seeing, or having brought to his notice, a continuing fire burning unattended or out of control on any land in the Fire Area shall do everything reasonably within his power to extinguish such fire and in the event of his being unable to extinguish such fire shall cause an Officer of the Council to be notified of the outbreak.

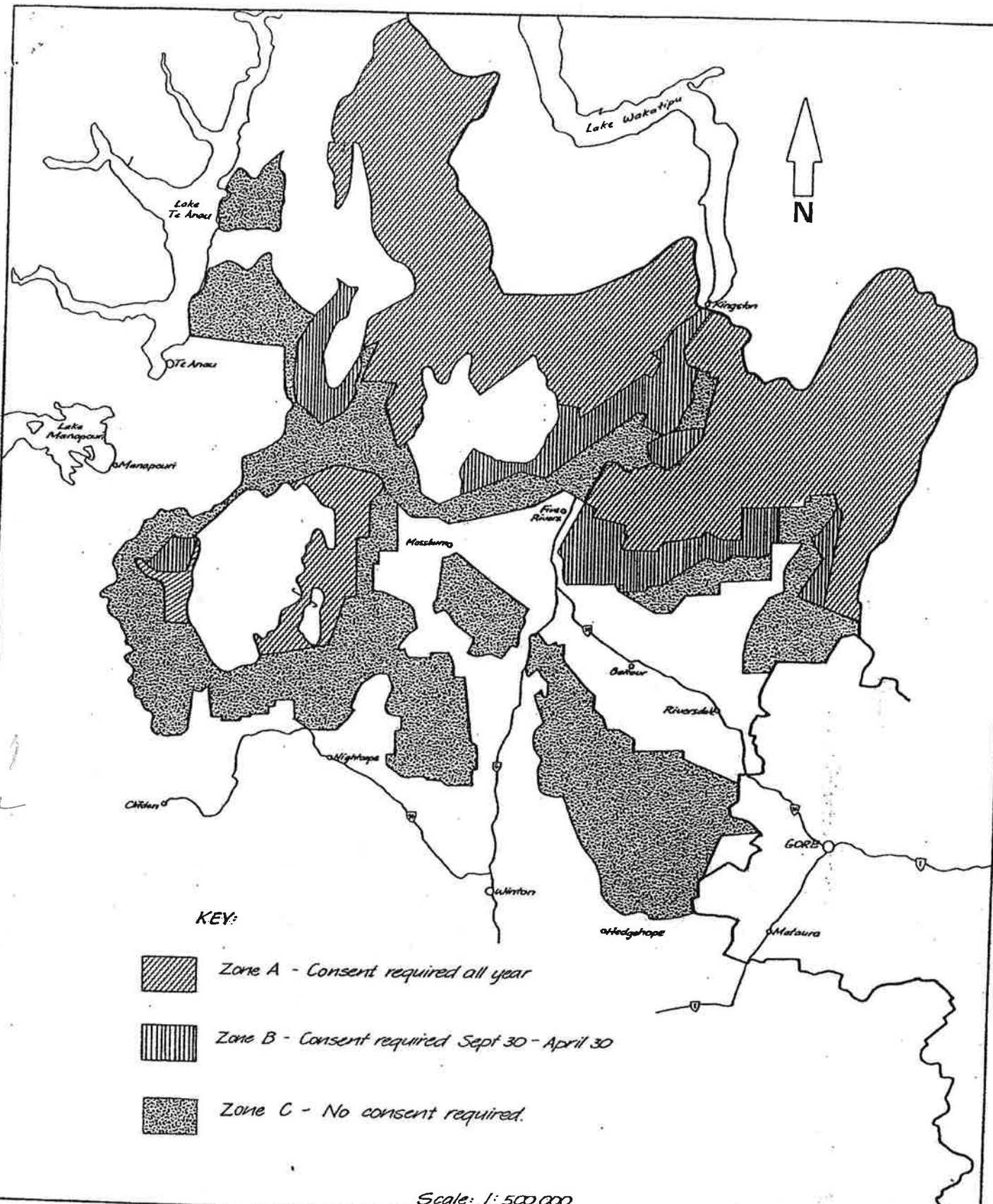
Where a fire breaks out on any land or is lit on any land (not being lit in a properly constructed fire place or within the curtilage of a dwelling house) without permission of the Council or spreads beyond the area for which a consent to burn has been granted, the person in occupation of the land on which the fire breaks out or is lit or onto or from which it spreads as aforesaid and his employees and other persons for the time being on the said land shall immediately cease the work on which they are engaged, and shall take immediate steps to suppress the fire, and shall forthwith notify an Officer of the Council, and shall continue their efforts to suppress the fire to the limit of their available resources until the fire is either extinguished or brought under control.

Explanation




Fires have the potential to aggravate soil erosion and as a consequence there is a need in particular areas to control to location and timing of any fires which may be appropriate. For this reason the Council seeks to control fires within the Fire Area.

Where the Council considers that the burning of vegetation freely or under proper safeguard would not materially aggravate soil erosion it may grant consent to the person in occupation of any land in the Fire Area to burn vegetation on that land within such period of time and under such conditions (if any) as are deemed appropriate.

A consent to burn shall not discharge the person obtaining the same from any liability for damage caused by any fire lighted pursuant to such consent. No such consent shall be authority for the lighting of a fire during a period mentioned therein if at the time of lighting either a heavy wind is blowing or conditions are such as might cause a fire to spread beyond the limit of the land and subject to such permit.



KEY:

-  Zone A - Consent required all year
-  Zone B - Consent required Sept 30 - April 30
-  Zone C - No consent required.

Scale: 1:500,000

**SOUTHLAND REGIONAL COUNCIL
REGIONAL PLAN**

FIRE AREA

DATE: 1 October 1991

PLAN: 7.3