

Appendix 2 – List of Relevant Legislation

Health Act 1956

The Health Act 1956 control nuisances, offensive trades, and the handling and storage of noxious substances.

Soil Conservation and Rivers Control Act 1941

The purpose of this Act is to make provision for the conservation of soil resources, the prevention of damage by erosion and make better provision for the protection of property from damage by floods.

Litter Act 1979

The Litter Act was established to make better provision for the abatement and control of litter. The Act is a basic mechanism for local government to prevent littering. The functions of the Act include: establishing enforcement officers and litter wardens who may issue fines and abatement notices for litter offences.

Civil Aviation Act 1990

The Civil Aviation Act 1990 governs New Zealand's civil aviation system and sets the overall framework for aviation safety, security and economic regulation.

Reserves Act 1977

The Reserves Act 1977 provides for the preservation and management of areas for their conservation values or public recreational and education values. This Act applies to reserves administered by the Department of Conservation, Far North District Council and other appointed organisations.

National Parks Act 1980

The National Parks Act 1980 aims to preserve national parks in perpetuity for their intrinsic worth and for the benefit use and enjoyment of the public. This Act sets out the principles for preserving the national parks and the functions and management of the parks. Each National Park has a Management Plan which sets out the issues, objectives and policies for the preservation, use and management of the park.

Conservation Act 1987

The Conservation Act 1987 promotes the conservation of New Zealand's natural and historic resources. The Open Space Chapter and Rural Zone Chapter complement the provisions of Conservation Management Strategies prepared under the Conservation Act.

Electricity Act 1992

The Electricity Act 1992 provides for the regulation, supply and use of electricity in New Zealand, including the health and safety of members of the public, prevention of damage to property.

Gas Act 1992

The Gas Act 1992 provides for the regulation, supply and use of gas in New Zealand, and also regulates the gas industry, protects the health and safety of members of the public, and promotes the prevention of damage to property in connection with the supply and use of gas.

Te Ture Whenua Maori Act (Maori Land Act) 1993

Te Ture Whenua Māori Act is the primary legislation for Māori land. It aims to balance the protection of Māori land for future generations with the ability to use and develop land to meet the aspirations of whānau. It is intended to be exercised, as far as possible, in a manner that facilitates and promotes the retention, use, development, and control of Maori land as taonga tuku iho by Maori owners, their whanau, their hapu, and their descendants, and that protects wahi tapu.

Hazardous Substances and New Organisms Act 1996

Hazardous Substances and New Organisms (HSNO) Act 1996 which provides a comprehensive framework for controlling hazardous substances during their whole life cycle, from manufacturing and importing a substance, and its transportation and storage, through to its use and disposal. Councils may place additional and/or more stringent requirements on the storage, use, disposal or transportation of hazardous substances for the purposes of the RMA (to meet site specific requirements or location characteristics).

Land Transport Act 1998

The Land Transport Act 1998 promotes safe road user behaviour and vehicle safety (including the safe transportation of hazardous substances); provides for a system of rules governing road user behaviour, the licensing of drivers and technical aspects of land transport; recognises reciprocal obligations of persons involved; consolidates and amends various enactments relating to road safety and land transport; enables New Zealand to implement international agreements relating to road safety and land transport.

Telecommunications Act 2001

The Telecommunications Act 2001 regulates the supply of telecommunications services.

Local Government Act 2002

The Local Government Act 2002 (LGA) provides for democratic and effective local government that recognises the diversity of New Zealand communities under which Councils are required to prepare a Long Term Plan.

Civil Defence Emergency Management Act 2002

The Civil Defence Emergency Management Act 2002 is based on the “four Rs”, being ‘reduction’ (of risk), ‘readiness’ (for an event), ‘response’ (when an event occurs), and ‘recovery’ (post event). In brief, this Act puts in place the framework for action pre and post a natural hazard event, and complements the responsibilities in other legislation. A key feature of implementing this Act is the establishment of Civil Defence Emergency Management (CDEM) groups in each region with representatives from the Regional Council, District Council, Police, Fire Service and Health Services.

Land Transport Management Act 2003

The Land Transport Management Act 2003 provides strategic direction for the national and regional land transport system. It directs planning frameworks for future investment decisions and research related to land transport. It sets out the requirements and processes for local authorities to obtain funding for road construction and maintenance.

Building Act 2004

The Building Act 2004, amongst other things, provides for the regulation of building work; compliance with the building code; safe storage of hazardous substances and the risks associated with new building in areas susceptible to natural hazards.

Land Transport (Road User) Rule 2004

This rule establishes the rules under which traffic operates on roads. It applies to all road users, whether they are drivers, riders, passengers, pedestrians, or leading or driving animals.

Railways Act 2005

The Railways Act 2005 sets out the requirements for the licensing of rail operations in New Zealand. It covers both light and heavy railways. It also includes basic safety obligations of operators and the general public when near a railway, as well as the powers the railway operators have to protect and manage the railway corridor.

Utilities Access Act 2010

The Utilities Access Act 2010 requires utility operators and corridor managers to comply with a national code of practice that regulates access to transport corridors and provides for the making and administration of that code.

Sale and Supply of Alcohol Act 2012

The Sale and Supply of Alcohol Act 2012 covers the safe and responsible sale, supply, and consumption of alcohol and the minimisation of harm caused by its excessive or inappropriate use.

Food Act 2014 / Ture Kai 2014

The Food Act 2014 helps make sure that food sold throughout New Zealand is safe. A central feature of the Act is a sliding scale where businesses that are higher risk, from a food safety point of view, will operate under more stringent food safety requirements and checks than lower-risk food businesses.

Heritage New Zealand Pouhere Taonga Act 2014

The Heritage New Zealand Pouhere Taonga Act 2014 sets out the statutory responsibilities for Heritage New Zealand for the protection of archaeological sites (Sections 42 and 43) and the purpose of the Heritage List/Rārangi Korero in assisting the protection of historic places (Section 65).

Fire and Emergency New Zealand Act 2017

The Fire and Emergency New Zealand Act 2017 (the FENZ Act) came into force on 1 July 2017. It created a single, unified fire services organisation for New Zealand by repealing the Fire Service Act 1975 and the Forest and Rural Fires Act 1977.

Health and Safety at Work (Hazardous Substances) Regulations 2017

The Health and Safety at Work (Hazardous Substances) Regulations 2017 set out the rules for work-related activities involving hazardous substances.

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Appendix 3 – Summary of Operative District Plan History

Further details can be found at:

<https://www.fndc.govt.nz/files/assets/public/objectivedocuments/policy-and-planning-pol/district-plan/administration/full-plan-update-schedule.pdf>

Plan Change	Operative Date
Plan Change 1 – Renewable Energy and Energy Efficiency	10 September 2010
Plan Change 2 – Borneo Investments Limited	10 September 2010
Plan Change 3 – Kerikeri Falls Investment Limited	10 September 2010
District Plan Mapping Errors	
Plan Change 4 – Schedule of Notable Trees and Schedule of Historic Sites, Buildings and Objects (Pioneer Village)	20 May 2011
Plan Change 5 – Definitions and Clarification Amendments	15 August 2011
Plan Change 6 - Technical Amendments to the Subdivision Chapter	15 August 2011
Designations Update	22 August 2011
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	15 September 2011
Plan Change 9 – Minor District Plan Map Amendments	14 March 2012
Designations Update	13 April 2012
Plan Change 10 - Vegetation Clearance Amendments	16 May 2012
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act – National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect human Health 2011 References	8 June 2012
Appendix 7 Statutory Acknowledgements	11 July 2012
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	30 July 2012
Designation Updates	3 September 2012
Designation Updates	8 November 2012
Plan Change 11 – Review of Heritage Schedules	14 December 2012
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	17th December 2013
Plan Change 13 – Technical Amendments	17th December 2013
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	11 February 2015
Designations Update	11 February 2015
Plan Change 14 – Removal of Chapter 12.6 (Air)	11 February 2015
Plan Change 17 – Review of Impermeable Surfaces Provisions	11 February 2015
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	4 June 2015
Plan Change 12 – Paihia Mission Heritage Area	Operative 4 June 2015
Appendix 7 Statutory Acknowledgments Update	16 May 2016
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	20 April 2017
Designation updates	20 April 2017
Plan Change 19 – Chapter 16 Signs and Lighting	20 April 2017
Plan Change 21 – National Policy Statement on Electricity Transmissions (NPSET)	20 April 2017

Plan Change 15 – Rural Provisions	1 September 2017
Designation update	13 October 2017
Plan Change 20 – Traffic, Parking and Access	13 October 2017
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	November 2017
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	May 2018
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act: National Environmental Standard for Plantation Forestry (NES PF)	1 May 2018
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	19 September 2018
Plan Change 18 – Genetically Modified Organisms (GMOs)	19 September 2018
Designation update	25 March 2019
Minor Amendments pursuant to Clause 20A of the First Schedule of the Act	25 March 2019
Private Plan Change 22 – Inlet Estate Limited	25 March 2019
Appendix 7 Statutory Acknowledgments Update	30 July 2019

Appendix 4 – Section 35 Efficiency and Effectiveness Review (2020)

Appendix 5 – Summary of ‘Put a Pin on it’ (2016)

Appendix 6 – Summary of Feedback on the Draft District Plan (2019)

Appendix 7 – Summary of Evaluation of s.31 Plan Enabled Housing Supply