

Sections 12 to 15: Resource Management Process Policy

2. Integrated Resource Management (Section 12 of the RPS)

A principal purpose of the RPS is to provide policies and methods to achieve integrated management of the Region's natural and physical resources.

Integrated resource management means consideration of the environment as a whole and recognition that changes, or the effects of human activities, in one area or on one resource, can affect other parts of a complex and interconnected system. In order to achieve this, it is essential that the policies, plans and actions of all the authorities involved in resource management (government agencies, regional and district councils and Iwi) and those of the community, are co-ordinated and implemented.

The need for integration between resource management authorities is also required under the Resource Management Act (RMA) in terms of dealing with cross boundary issues. Section 62 of the RMA requires that the RPS identify the processes to be used to deal with issues which cross local authority boundaries, between territorial authorities or between regions.

Anticipated Outcomes

Not stated for this section. This section contains policy related to resource management procedures and processes rather than policy relating to the use, development and protection of resources and therefore does not have anticipated environmental outcomes.

Policy Mix

The objective for the *integrated resource management* section is the integrated and co-ordinated management of natural and physical resources, and associated decision making processes that enable their protection, use and development at both the regional and district level.

The policy approach for the *education and research on effects of resource use and their inter-relationships* (Policy 12.4 (a)) is to promote research into and increased understanding of, the inter-relationships and the effects of human activities.

The policy approach for the *consideration of effects which cross resource boundaries* (Policy 12.4 (b)) is to consider the effects of use and development of one resource on other resources, during the preparation and administration of plans and when considering resource consent applications.

The approach for dealing with *cross boundary issues* (Policy 12.4 (c)) includes a variety of formal and informal processes. This ensures a degree of flexibility is available to implement the policy direction of keeping consistent with national and regional policy statements and regional and district plans.

This section also includes a policy providing for the transfer and delegation of functions as appropriate, and a policy to avoid duplication and inconsistencies in the consent requirements of Councils.

The integrated resource management section contains 16 individual methods of implementation that flow from the policy direction discussed above.

What has worked well in this section?

Environmental education programmes are working well. The informal process for sharing subdivision applications is a positive example of integrated management. The avoidance of duplication in resource consent requirements has been done well.

The Regional Council has been actively involved in the development of district plans. Transfer of powers agreements have been developed and are operating effectively between the Regional Council and district councils.

What has not worked in this section?

Overall the RPS suffers from a lack of knowledge of its existence, let alone the provisions contained within it.

Cumulative effects are difficult to manage particularly in terms of understanding the cumulative effects of a single application for resource consent. The cumulative effects provisions within this section need to be given more strength and be actively implemented. The joint processing of resource consents does not consistently occur.

Integrated management of physical resources is not effective as generally it has not been implemented. There is very limited research on effects of resource use.

General Comments on this section:

There is still significant room for improvement in the integration between agencies. Education and research is very important and there is reasonable uncertainty in regard to what, if any, research has been undertaken – it has been recommended that a research ‘forum’ should be established.

Technical research is required to ensure the policies and objectives are implemented and to monitor the effectiveness of the RPS.

To better achieve integrated management across the region the RPS should explore the creation of a single planning document (the one plan approach) or some other form of integrated planning documents. NRC should be members of the District Council planning bodies just as District Councils are members of the NRC Planning and Policy Committee.

Emerging Issues for this section?

The RMA has been amended to require District and Regional Plans “give effect to” the RPS. It must be acknowledged that through this review process there appeared to be a difference between each of the district councils in their approach to working with NRC as well as their acceptance of the new status of the RPS.

The integration of planning documents with other statutory documents (e.g. Regional Land Transport Strategy) and bylaws etc needs to be considered. The development of a one-plan approach for Northland is likely to be investigated in the coming year.

There is growing intention at central government level to integrate the planning and implementation of 'health focused' infrastructure at the territorial level as the biggest gains in public health are through the planning and development (infrastructure) responsibilities of District Councils.

Is this section Efficient and Effective?

On face value it appears that the section is reasonably effective in achieving integrated management, particularly in regard to cross boundary issues and effects which cross resource boundaries. However it is considered that much more could be done to integrate decision making, research and overall environmental management of physical resources and management between agencies.

The status of the RPS as an integration document has been increased due to the new 'give effect to' requirement. It has been asked whether there is still a need for this section if the remainder of the document now holds this empowered integration role. Whatever the outcome, the RPS must require the four councils to actively address integrated management and work collectively for the benefit of the region.

It is considered that the efficiency of the RPS is restricted by the lack of knowledge amongst stakeholders and other agencies about the existence and contents of the document itself.

3. Community Involvement in Resource Management (Section 13 of the RPS)

While regulatory means will enable a certain amount of control over actions that may cause adverse environmental effects, changes in attitudes to resource use and in the behaviour of large sections of the community, are needed if the quality of Northland's environment is to be maintained or enhanced long term. Involving the community in setting directions for the future of the region's resources ensures that resource management objectives take into account both the community's need to use resources, and the need to maintain and enhance environmental quality.

The RMA provides considerable scope for individual and community involvement in resource management. Councils generally consult widely when preparing policies and plans, and are required to consider methods other than regulation to address resource management issues. Councils must also notify those people likely to be directly affected by proposed policies, plans, or resource consent applications. There are also provisions in the RMA which enable Councils to appoint people from the community onto committees hearing resource consent applications.

Community involvement also extends to monitoring and enforcement. Communities (and individuals) have an important role to play in reporting pollution related incidents and the monitoring of consent conditions.

Anticipated Outcomes

Not stated for this section. This section contains policy related to resource management procedures and processes rather than policy relating to the use, development and protection of resources and therefore does not have anticipated environmental outcomes.

Policy Mix

The objectives for the *community involvement* section are:

- The informed participation of the community in the management of the natural and physical resources of the region.
- Individual and community stewardship of the natural and physical resources of the region.
- Greater public awareness and understanding of Maori cultural and spiritual values associated with natural and physical resources.

The policy approach for the *education* section (Policy 13.4 (a)) is to inform resource users of the environmental effects of their activities and to inform people of the significance of Maori cultural and spiritual values and associated environmental perspectives.

The policy approach for the *consultation* section (Policy 13.4 (b)) is to ensure that appropriate consultation is undertaken when preparing resource management policies, plans related work programmes, and codes of practice.

The approach for *involvement in implementation* (Policy 13.4 (c)) is to investigate and promote opportunities for involvement in decision-making, monitoring and policy implementation. The policy approach for the *consent process* is to encourage all applicants to consult and to ensure that notified applications are available for public inspection.

The community involvement management section contains nine individual methods of implementation that flow from the policy direction discussed above.

What has worked well in this section?

Environmental education initiatives such as the stormwater and earthworks seminars and the coast care position within NRC are working well.

Consultation is undertaken well for the development of draft resource management plans. A positive result of the circulation of resource consent applications by councils is that it assists in education about the council/resource consent process.

What has not worked in this section?

Genuine partnerships and involvement of the community in resource management have not yet been achieved. Informing people of the significance of Maori cultural and spiritual values and associated environmental perspectives has not yet been achieved, as this policy approach is not supported by the methods of implementation.

General Comments on this section:

This section is relying on the assumption that providing information results in behaviour change. It would be useful to include provision to monitor the effectiveness of education campaigns and identify any resulting behaviour change.

Emerging Issues for this section?

The RMA has recently been amended in regard to the rights of interested and affected parties and the requirements for consultation. There is now more emphasis on consultation associated with plan preparation and non-statutory consultation and less emphasis on resource consent consultation.

There is a need to develop best practice guidelines and agreed practices for Council's working together to facilitate public support. The public perception and image should be of the respective councils actively collaborating and working together.

Partnerships with organisations such as the NZ Landcare Trust should also be supported through this section.

Is this section Efficient and Effective?

On face value it appears that this section has been effective and almost all of the provisions have been implemented. However, in terms of actually involving the community in resource management, this section does not actually achieve anything greater than that which is required under the provisions of the RMA. It is efficient in achieving the purpose of the RMA but not effective at involving the community in resource management.

4. Involvement of Tangata Whenua (Section 14 of the RPS)

The RMA requires Regional and District Councils to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, as a matter of national importance. Councils must also have regard to kaitiakitanga, and take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) when making decisions.

Court of Appeal and Waitangi Tribunal decisions give legal guidance as to what the principles of the Treaty of Waitangi are. Councils and Tangata Whenua must decide how that guidance is to be implemented in resource management in Northland.

This section sets out how Tangata Whenua are to be involved in the sustainable management of the natural and physical resources of Northland.

Anticipated Outcomes

Not stated for this section. This section contains policy related to resource management procedures and processes rather than policy relating to the use, development and protection of resources and therefore does not have anticipated environmental outcomes.

Policy Mix

The objective for this section is the involvement of Tangata Whenua in the management of the natural and physical resources of the region in a manner that recognises and respects Tangata Whenua and Ahi Kaa as kaitiaki o nga taonga tuku iho (guardians of the treasures of their ancestors, as handed down).

The policy approach for the section on *general consultation* (Policy 14.4 (a)) is to ensure that consultation with Tangata Whenua is undertaken regarding matters specified in the RMA that may effect their taonga or their use, development and protection of natural and physical resources.

The policy approach for *consultation in regard to resource consent applications* (Policy 14.4 (b)) is to define the appropriate circumstances when Tangata Whenua will be considered an affected party and to encourage applicants to consult the appropriate Tangata Whenua.

The policy approach for *consent decisions and hearings* (Policy 14.4 (c)) is to ensure the active consideration of the impacts of developments on the taonga of Tangata Whenua and to provide for Tangata Whenua involvement in hearings.

The *cultural awareness* (Policy 14.4 (f)) section has a policy approach of promoting the awareness and understanding of cultural issues for council staff and the awareness and understanding of council functions and obligations for Tangata Whenua.

The *'Involvement of Tangata Whenua'* section also encourages and supports the preparation of lwi resource management policies and plans and the investigation and where appropriate provision of opportunities for Tangata Whenua involvement in monitoring programmes.

The involvement of Tangata Whenua section contains 17 individual methods of implementation that flow from the policy direction discussed above.

State/Pressures/Reality

There is a large reliance on Iwi management plans for the identification of heritage sites, features, and archaeological sites. This is considered a problem given that only one Iwi management plan has been attempted in Northland. Iwi Management Plans have not been an effective means of involving Tangata Whenua in the management of natural and physical resources. Therefore, there is a need to investigate other means of identifying these sites/features.

Iwi/hapu groups have differing perceptions on the purpose of Iwi management plans and it is up to iwi/hapu to decide on content.

There is a lack of co-ordination between agencies in recording sites of cultural significance.

The Consents department of the NRC generally does well in regard to involving Tangata Whenua – there is sometimes an overload of information but this is a better result than a lack of involvement at all. District councils do not circulate non-notified resource consent applications.

What has worked well in this section?

The circulation of non-notified resource consent applications by NRC is appreciated and there is strong support for this process to continue.

The Iwi Liaison staff within each council are considered to be a good first point of contact for Tangata Whenua who have limited knowledge of Council structure, procedures and processes.

Advice, funding and support is available within councils for the development of Iwi resource management policies and plans.

What has not worked in this section?

There is an inconsistent approach from councils to the circulation of non-notified resource consent applications. While it is one step to consult with Tangata Whenua over a resource consent, it is a completely different step to take that consultation into consideration, for example, through requiring a report on cultural grounds (through section 92 of the RMA).

There is no direction in the RPS on how to determine when Tangata Whenua should be considered an affected party.

General Comments on this section:

The 2005 amendments to the RMA make it clear that applicants for resource consents are not required to consult Tangata Whenua/Iwi hapu groups. Where an Iwi group has asked to be considered as an affected party, then it is up to Council to determine whether they are to be considered an affected party. Whilst the provisions on consultation may have changed, the purpose and principles of the RMA remain,

particularly in relation to recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance.

The level of knowledge and capacity in regard to understanding of Councils plans and policies by Tangata Whenua varies from basic grassroots to skilled Iwi Technicians within resource management units. Councils need to understand and accommodate this variability.

Councils should actively promote the cultural awareness initiatives and staff training that they undertake, including encouraging staff to demonstrate their skills (reo/tikanga etc) when engaging with Maori.

Emerging Issues for this section?

This section is a necessary step in supporting the needs of the Council's however, due to legislative changes, there is far less requirement for consultation with Tangata Whenua. It has been suggested that these changes have the ability to undermine the whole of this section of the RPS.

Involvement of Tangata Whenua in plan preparation is now more important due to the amendments to the RMA.

It is suggested that councils should develop a process to show how they will be taking into account Iwi/hapu Environmental Management Plans. This is a challenge for councils to undertake before they know the content of the plans.

Councils need to be more open minded in order to encourage the development of Iwi resource management policies and plans, through initiatives such as secondment of staff and making resources available for the creation of GIS databases etc.

The opportunities for Tangata Whenua involvement in monitoring and implementation relied on Tangata Whenua coming forward to councils. This has generally not worked. The RPS should identify and promote suitable projects for Tangata Whenua to be involved in.

Is this section Efficient and Effective?

The concept of Iwi Management Plans has not really taken hold and therefore has not been an effective means of involving Tangata Whenua in the management of natural and physical resources. This has also resulted in a lack of other work being undertaken, for example the identification of heritage sites, features or archaeological sites.

Overall the section is supported, particularly by Tangata Whenua, but is suffering from a lack of implementation and/or promotion of those areas that have been implemented. Tangata Whenua's knowledge of the section or the outcomes produced as a result of the section is limited.

This section is heavily focused on the statutory requirements of consultation, which are effectively implemented. However, the section should be balanced with non-statutory consultation/interaction with Tangata Whenua along, with investigating opportunities for involvement in resource management. Generally this section has the potential to be effective but needs improvement and implementation.

5. Monitoring & Review (Section 15 of the RPS)

Monitoring is an important part of all systems that involve planning and organised decision making processes. It enables the parties concerned to check on the progress being made towards the attainment of particular goals or objectives and the effectiveness of related policies and procedures. The RMA recognises the value of monitoring and gives local authorities major responsibilities in this area.

While the RMA's definition of "environment" is very broad, councils are only required to monitor the "state of the environment to the extent that it is appropriate to enable them to effectively carry out their functions". Sections 62, 67 and 75 of the RMA reinforce the need for monitoring of policy statements and plans promulgated by local authorities. They are required to specifically outline the procedures to be used in monitoring and reviewing the effectiveness of policies and methods in such documents.

Anticipated Outcomes

Not stated for this section. This section contains policy related to resource management procedures and processes rather than policy relating to the use, development and protection of resources and therefore does not have anticipated environmental outcomes.

Policy Mix

The objectives for the *monitoring and review* section are:

- The integrated and cost effective monitoring of resource management activities in Northland;
- The provision of an adequate information base on which sound resource management policies and associated decisions can be made.

The policy approach *for state of the environment monitoring* (Policy 15.4 (a)) is to establish a broad regional monitoring programme in consultation with other interested parties, and integrated with the monitoring activities of others undertaken in the region.

This section includes policy direction to monitor the effectiveness of the RPS and Regional Plans and undertake appropriate changes and reviews.

The policy approach for *consent monitoring* (Policy 15.4 (c)) is a combination of councils undertaking their required monitoring and in appropriate cases, having consent holders monitor their own use of resources.

The monitoring and review section contains 13 individual methods of implementation that flow from the policy direction discussed above.

What has not worked in this section?

Annual reports on effectiveness of policy statement and plans have not been produced. Likewise, annual reports on monitoring of resource consents have not been produced by local authorities.

The monitoring of cumulative effects of resource consents and permitted activities has not been undertaken.

General Comments on this section:

This section is not overly useful as it generally repeats the requirements of section 35 of the RMA for monitoring.

Emerging Issues for this section?

Section 35 of the RMA has recently been amended and this section needs to be updated to reflect these changes. More specific policies and methods may be useful – giving direction on what is to be monitored and how it should be monitored in order to achieve a consistent approach across the region and simplify the ability to create an integrated state of the environment report.

Is this section Efficient and Effective?

Monitoring and review of the RPS and resource management plans has only been moderately effective, due to limited resourcing and a lack of implementation of the objectives and policies. A co-ordinated monitoring approach has not been achieved and has resulted in a limited ability to report on the state of the environment. Overall, this section has not been effective as it has generally repeated the requirements of the RMA and has not provided for integrated or co-ordinated monitoring specific to the Northland region.