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Overview of plans under the RMA

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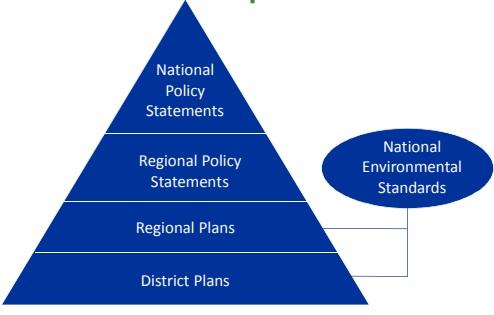
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Hierarchy of policies and plans



National Policy Statements

Regional Policy Statements

Regional Plans

District Plans

National Environmental Standards

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Regional policy statements

- Must be prepared for each region
- Purpose is to provide:
“an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region”
- Contain objectives and policies but not rules
- Can include maps
- Many “second generation” RPSs are currently being prepared
- Regional and district plans required to “give effect” to them
- EDS Guide to *Strengthening Second Generation RPSs*

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Regional Plans - Role

A regional council **must** prepare a regional coastal plan (applying below mean high water springs) but other regional plans are optional.


The purpose of these plans is to assist the regional council in carrying out its functions under the RMA. These functions relate to:

- Soil conservation
- Water quality and quantity
- Aquatic ecosystems
- Biodiversity
- Natural hazards
- Hazardous substances
- Discharge of contaminants
- Allocation of natural resources.

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Regional coastal plans



Regional coastal plans specifically address activities in the coastal marine area

They may provide for aquaculture management areas and the imposition of charges for the occupation of the common marine and coastal area

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Regional plans - Content


A regional plan is required to state:

- The objectives for the region
- Policies to implement the objectives
- Rules (if any) to implement the policies

A regional plan may also state:

- The issues the plan seeks to address
- Methods to be used to implement the policies
- Principle reasons for adopting the policies and methods
- The information to be submitted with an application for a resource consent
- Environmental results anticipated
- Processes to deal with cross boundary issues
- Procedures for monitoring.

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 **District Plans - Role**
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A territorial authority (city or district council) **must** prepare a district plan for its district.

Purpose of these plans is to assist territorial authorities in carrying out their functions under the RMA.
These include:

- Effects of land use
- Impacts of land use on natural hazards and the management of hazardous substances
- Noise
- Activities on the surfaces of rivers and lakes
- Impacts of land use on indigenous biological diversity

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 **District Plans - Content**
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A district plan is required to state:

- The objectives for the district
- Policies to implement the objectives
- Rules, if any, to be used to implement the policies

A district plan may also state:

- The significant resource management issues of the district
- Methods, other than rules, for implementing the policies
- Principle reasons for adopting the policies and methods
- Environmental results anticipated
- Procedures for monitoring
- Processes to deal with cross boundary issues
- The information to be submitted with an application for a resource consent

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 **District Plans - legal requirements**
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A district plan should be designed to **accord with**, and assist the territorial authority to carry out its functions so as to achieve, the purpose of the Act.

When preparing its district plan the territorial authority **must give effect to** any national policy statement or New Zealand Coastal Policy Statement.

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District Plan- legal requirements

When preparing its district plan (change) the territorial authority shall:

- (a) **have regard to** any proposed regional policy statement;
- (b) **give effect to** any operative regional policy Statement.

In relation to regional plans:

- (a) the district plan (change) must **not be inconsistent with** an operative regional plan for any matter specified in section 30(1) or a water conservation order; and
- (b) **must have regard to** any proposed regional plan on any matter of regional significance;

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Purpose and principles

Overriding purpose

Recognise and provide for

Have particular regard to

Take into account

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Purpose of RMA

To promote '*sustainable management*' of natural and physical resources

Managing the use, development, and protection of natural and physical resources *in a way, or at a rate*, which *enables* people and communities *to provide for their* social, economic and cultural wellbeing and for their health and safety while-

- (a) *Sustaining* the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable *needs of future generations*; and
- (b) *Safeguarding* the *life-supporting* capacity of air, water and ecosystems; and
- (c) *Avoiding, remedying or mitigating* any adverse *effects* on the environment


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 **Section 6: Matters of national importance**
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All persons exercising functions and powers under the Act are required to recognise and provide for seven matters of national importance

- (a) Preservation of the **natural character** of the coastal environment, wetlands, lakes and rivers and their margins and protection from inappropriate subdivision, use and development
- (b) Protection of **outstanding** natural features and **landscapes** from inappropriate subdivision, use and development
- (c) Protection of areas of significant **indigenous vegetation** and **significant habitats** of indigenous fauna
- (d) Maintenance and enhancement of **public access** to and along the coastal marine areas, lakes and rivers
- (e) Relationship of **Māori and their cultural and traditions** with their ancestral land, water, sites, wāhi tapu, and other taonga
- (f) Protection of **historic heritage** from inappropriate subdivision, use and development
- (g) Protection of **customary activities**


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 **Section 7: Other matters**
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The RMA provides for 'other matters' which persons exercising functions and powers under the RMA must 'have particular regard to'

- (a) Kaitiakitanga
- (aa) Ethic of stewardship
- (b) The efficient use and development of natural and physical resources
- (ba) The efficiency of the end use of energy
- (c) The maintenance and enhancement of amenity values
- (d) Intrinsic values of ecosystems
- (f) Maintenance and enhancement of the quality of the environment
- (g) Any finite characteristics of natural and physical resources
- (h) The protection of the habitat of trout and salmon
- (i) The effects of climate change
- (j) The benefits to be derived from the use and development of renewable energy

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 **Section 8 – Treaty of Waitangi**
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All persons exercising functions and powers under the RMA are required to 'take into account the principles of the Treaty of Waitangi' (see section 8). This includes duties to act reasonably and in good faith and to actively protect Maori interests.

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Combined regional and district documents

Options:

- A document that is 2 or more of the following:
 - a regional policy statement;
 - a regional plan, including a regional coastal plan;
 - a district plan.
- A combined district plan for 2 or more local authorities' combined districts.
- A combined regional plan, regional coastal plan, or regional policy statement for 2 or more local authorities' combined regions.

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