

RESOURCE MANAGEMENT

The Resource Management Act

Introduction

The Resource Management Act 1991 (usually called the RMA) has made the environment everyone's business. The RMA came into force on 1 October 1991.

The RMA is the main piece of legislation that sets out how we should manage our environment. Internationally this environmental legislation is unique as it legislates for land, air, and water resources under one over-arching act. The Act is 'effects' based, which means it is the environmental effects of an activity that are assessed when deciding whether an activity can go ahead.

This Environment Topic provides a general introduction to the Resource Management Act. Anyone needing detailed information should seek advice from the Regional Council, the Ministry for the Environment, an environmental lawyer or consultant.

Purpose and principles

The purpose of the RMA is 'to promote the sustainable management of natural and physical resources'. These resources include land, water, air, the coast, minerals, energy, plants and animals, as well as buildings and other structures. All decision-making and planning under the Act must aim to achieve this purpose.

Under the RMA, sustainable management means 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 well-being and for their health and safety while-

(a) *Sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations; and*

(b) *Safe-guarding the life-supporting capacity of air, water, soil and ecosystems; and*

(c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The purpose of the RMA is supported by a series of principles which give guidance on the way the purpose is achieved. In managing the use, development and protection of natural and physical resources, Councils must recognise and provide for:

- **Matters of national importance** - including the coast, lakes and rivers; public access to these areas; outstanding natural features and landscapes; significant indigenous flora and fauna; and Maori taonga (ancestral lands, sites and other treasures).
- **Other matters** - including kaitiakitanga (the exercise of guardianship); efficient use and development; amenity values; intrinsic values of ecosystems; heritage values; and the habitat of trout and salmon.
- **The principles of the Treaty of Waitangi.**

Who does what?

Most responsibility for working under the RMA lies with regional, district and city councils. There are 12 regional councils, 70 city and district councils and 5 unitary authorities. Unitary Authorities carry out both regional and district council functions.

The four main local councils in Hawke's Bay are: Wairoa District Council, Napier City Council, Hastings District Council and Central Hawke's Bay District Council. In addition the Taupo and Rangitikei District Councils each have a small area in the Hawke's Bay Region.

Regional Councils are responsible for managing:

- all activities in the coastal marine area
- discharges of contaminants into or onto land, air or water and discharges of water into water
- water takes, uses, damming and diversion of water
- all activities affecting river and lake beds.
- land use for the purpose of soil conservation, water quality, water quantity, natural hazards and hazardous substances.

District and City Councils are responsible for managing:

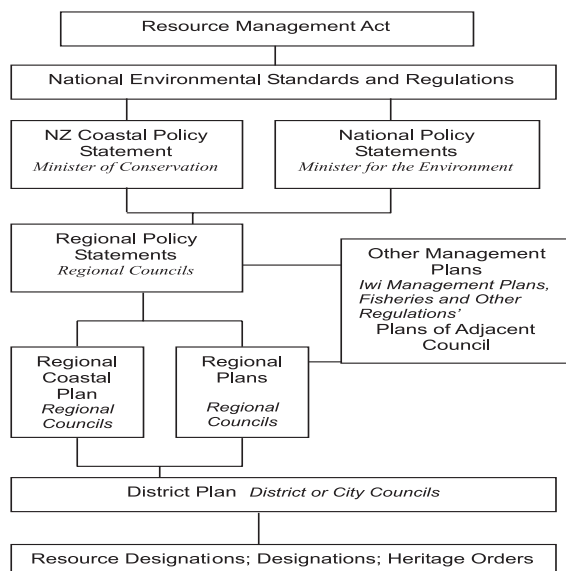
- All land use activities which means they assess how the use of land can affect the environment
- Historic sites and buildings
- Subdivision of land
- Noise
- Activities on the surface of water in rivers and lakes (eg recreational activities).

The Ministry for the Environment (MfE) maintains an overview role, and has powers to set environmental standards and prepare national policies. The Department of Conservation has a particular role under the RMA to keep an eye on the way the coastal environment is managed.

The Parliamentary Commissioner for the Environment investigates emerging environmental issues, reviews environmental legislation and investigates the performance of public authorities in planning and managing the environment.

Policy statements and plans

The Resource Management Act establishes a hierarchy of policy statements and plans that councils prepare to help them manage the environment in their area.



From: *The Resource Management Act and You, MfE*

When central government want to give councils direction they can issue national policy statements or set national environmental guidelines

Regional Policy Statements set the basic direction for environmental management in the region. Regional plans concentrate on particular parts of the environment that are significant to the region.

District plans set out the policies and rules used to manage the land use in the region.

Resource consents

Under the RMA, most activities affecting 'public resources' - water, air and the coast - are restricted. Generally contaminants cannot be discharged, or resources used or disturbed unless allowed by a permitted activity rule in a regional plan or by a resource consent. By contrast, land use is unrestricted under the RMA as it is a 'private resource'. People can freely undertake activities on land unless there is a rule in a regional or district plan stating otherwise.

For activities requiring a consent, councils can assist applicants with advice and information.

Monitoring

The RMA has strong requirements for checking that there are not adverse effects on the environment from activities. Councils are required to monitor the state of the environment, the effectiveness of policy statements and plans, and resource consents. All of this information must be made available to the public.

Publications

The following plans and reports are available from the Hawke's Bay Regional Council:

- Proposed Regional Resource Management Plan which includes the Regional Policy Statement
- Regional Coastal Plan
- State of the Environment Report
- Annual Plan
- Ten Year Plan

The Ministry for the Environment can be contacted at PO Box 10362, Wellington tel (04) 917 7400, fax (04) 917 7523 or www.mfe.govt.nz

For further information

For further information or advice on any resource management topics, ask for other titles in this series, or talk to Environmental Regulation staff at the Regional Council on:

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www.hbrc.govt.nz