

WORKSHOP MATERIAL

Date of Release: 27 April 2023

Workshop: Resource Management Act Reform Submissions – All Councillors

Date: Tuesday, 24 January 2023

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Resource Management

An introduction to the RMA and plans in Tasman



Thriving and resilient Tasman communities

Agenda

1. What the RMA* is, how it works and what it means for local planning
2. Tasman's RMA plans
3. How the RMA and Local Government Act plans work together
4. Role of Council in Plan Making

*RMA = Resource Management Act 1991

1. What the RMA is, how it works and what it means for local planning

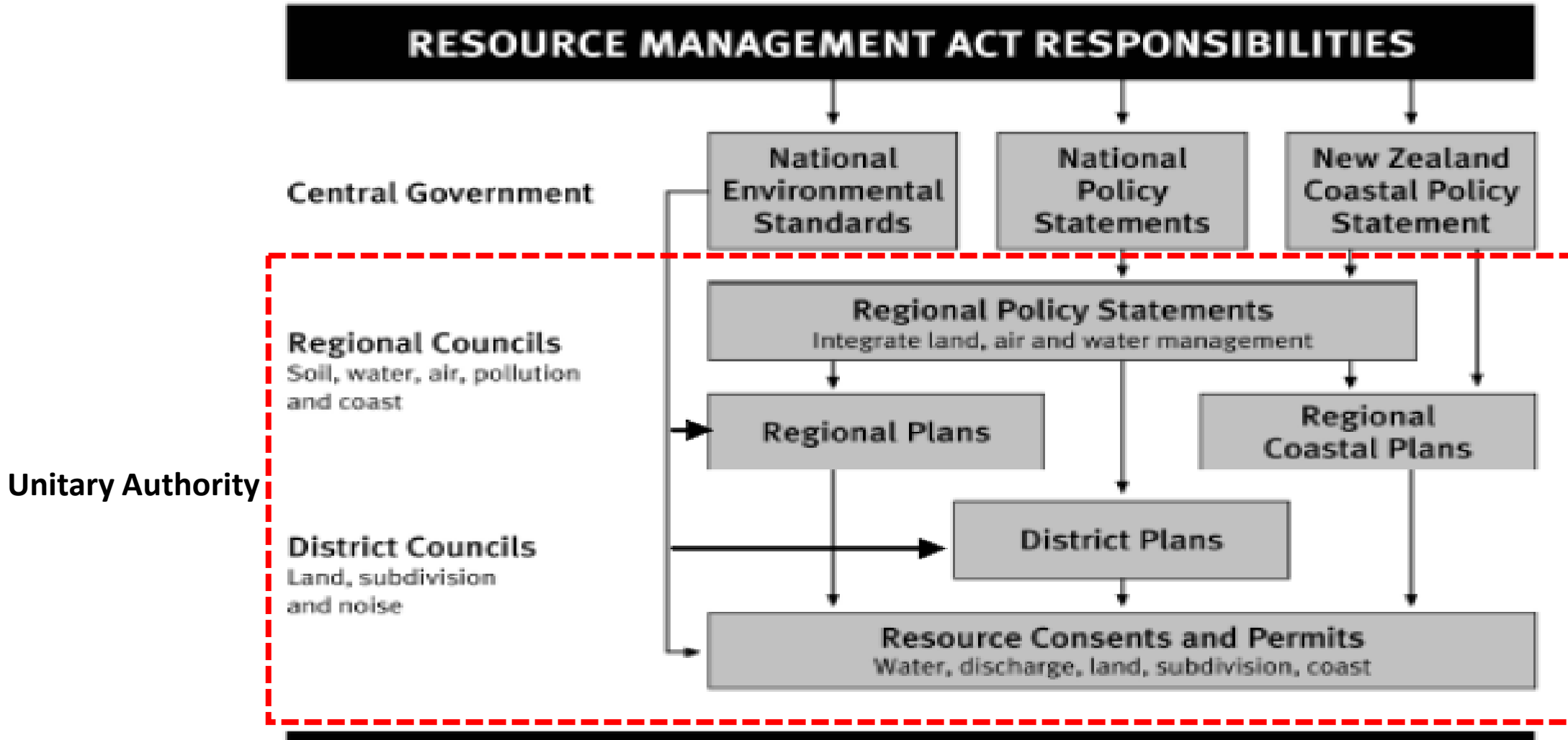


The Resource Management Act 1991....

- Replaced Town and Country Planning Act & 103 individual pieces of legislation
- Primary purpose: sustainable management of natural and physical resources
- Covers allocation and use of land, air, water, coast and the provision of infrastructure in conjunction with LGA
- Balancing private use with public good – short and long term



How the RMA works



What does it mean for local planning?

- Requirement to produce resource management plans:
 - Tasman Regional Policy Statement (TRPS)
 - Tasman Resource Management Plan (TRMP)
 - District Plan
 - Regional Plans
- Sets the legal framework for: resource consenting, compliance and some monitoring activities
- Required to be reviewed on regular basis – 10 yrs
- Tertiary legislation

2. Tasman's RMA Plans



Brief history of planning in Tasman

- 1989 Series of amalgamation of Boroughs, County Councils and Catchment and Water boards
- 1992 - Created 3 Unitary Authorities in the Top of the South
- Notified first RMA Plans (TRMP) in 1996
- TRMP has been changing ever since... (75 plan changes to date)
- Comprehensive review commenced 2019 (Tasman Environment Plan)
- Iwi environmental management plans for Te Tau Ihu

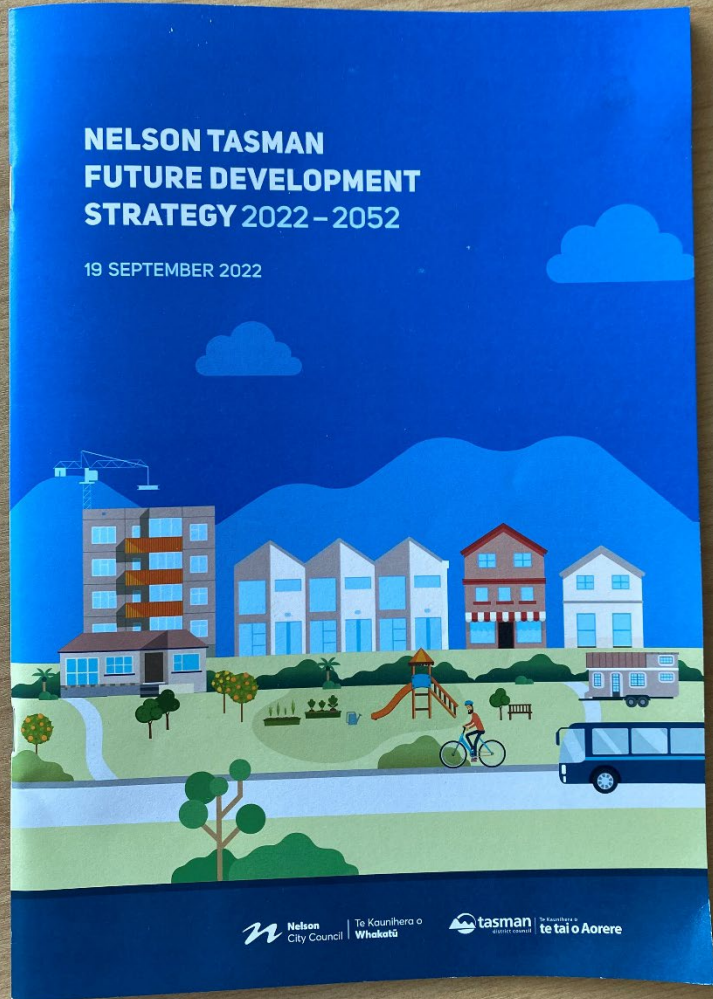
Planning Documents in Tasman

- Nelson Tasman Future Development strategy
- 30-year urban growth strategy
- Tasman Regional Policy Statement (TRPS)
- Tasman-wide significant resource management issues & how we'll address them
- Tasman Resource Management Plan (TRMP)
 - Combined Regional, Coastal and District Plan

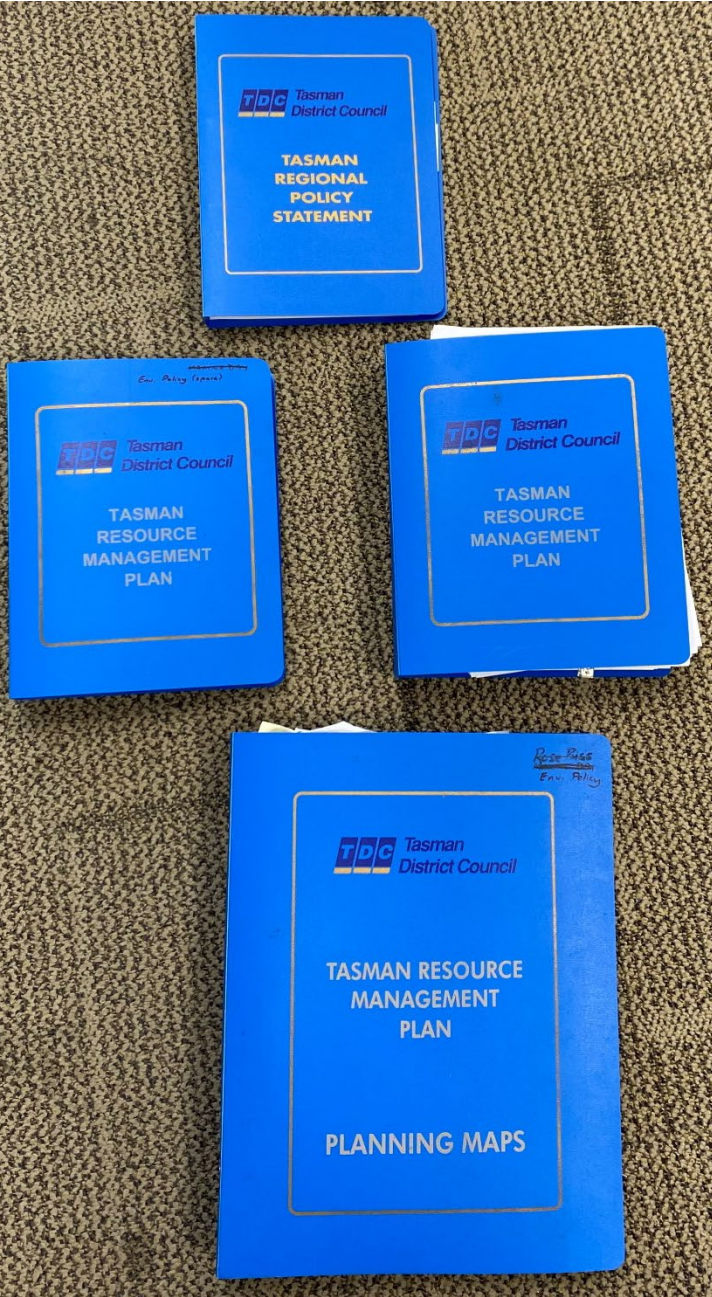


Planning Documents in Tasman

- Nelson Tasman Future Development strategy
 - 30-year urban growth strategy
 - Blueprint for our towns
 - Informs Long Term Plan and Infrastructure strategy



Planning Documents in Tasman



- Tasman Regional Policy Statement (TRPS)
- Tasman-wide significant resource management issues & how we'll address them
- Tasman Resource Management Plan (TRMP)
 - Combined Regional, Coastal and District Plan
 - 2 text volumes + planning maps
 - 6 parts – 5 split by resource:
 - 1. Intro, meanings of words, etc
 - 2. Land
 - 3. Coastal
 - 4. Rivers and Lakes
 - 5. Water
 - 6. Discharges

What does the TRMP do?

- Seeks to create sustainable, functional and pleasant communities to live in...
- Protects health, amenity, and wellbeing for people and the environment from adverse effects
- Allocates public resources
- Provides planning framework to enable regional economic development
- Gets us from where we are now, to where we want to be with managing resources...
- **It's the rule book for environmental management in Tasman**

What must the TRMP include?

RMA dictates some content:

- Identifies matters that Council must protect, recognise and provide for via its plans
- Primary purpose: to promote the sustainable management of natural and physical resources.
- Matters of national importance
- Policies and policy direction through National Policy Statements

Matters of national importance

- the **preservation** of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins
- the **protection** of outstanding natural features and landscapes
- the **protection** of areas of significant indigenous vegetation and significant habitats of indigenous fauna
- the **maintenance and enhancement** of public access to and along the coastal marine area, lakes, and rivers
- Protect from inappropriate subdivision, use, and development

Matters of national importance

- the **relationship** of Maori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga
- the **protection** of historic heritage
- the **protection** of protected customary rights
- the **management of significant risks** from natural hazards.

Translates to content in TRMP:

1. Activities on land:

- Amenity
- Urban settlements
- Rural activities
- Margins of lakes, rivers, wetlands and coast
- Landscapes, significant natural areas, heritage buildings and protected trees
- Infrastructure and transportation
- Natural hazards and land disturbance
- Reserves
- Designations





TRMP content continued

2. Coastal marine area

- **Disturbance** of, or deposits on the foreshore or seabed – natural processes and habitats
- Any **structures** - erect, place, extend, remove or demolish etc
- **Occupation** of the coastal marine area, and impacts on access
- **Activities** in the coastal marine area – includes amenity (noise, visual) natural character, historic heritage
- **Aquaculture**
- **Natural hazards** and hazardous substances



TRMP content continued

3. Rivers and lakes

- **activities** on the surface
- **disturbance**, deposition or reclamation / drainage of any bed
- **structures** in or on the bed
- introducing any plant

4. Water

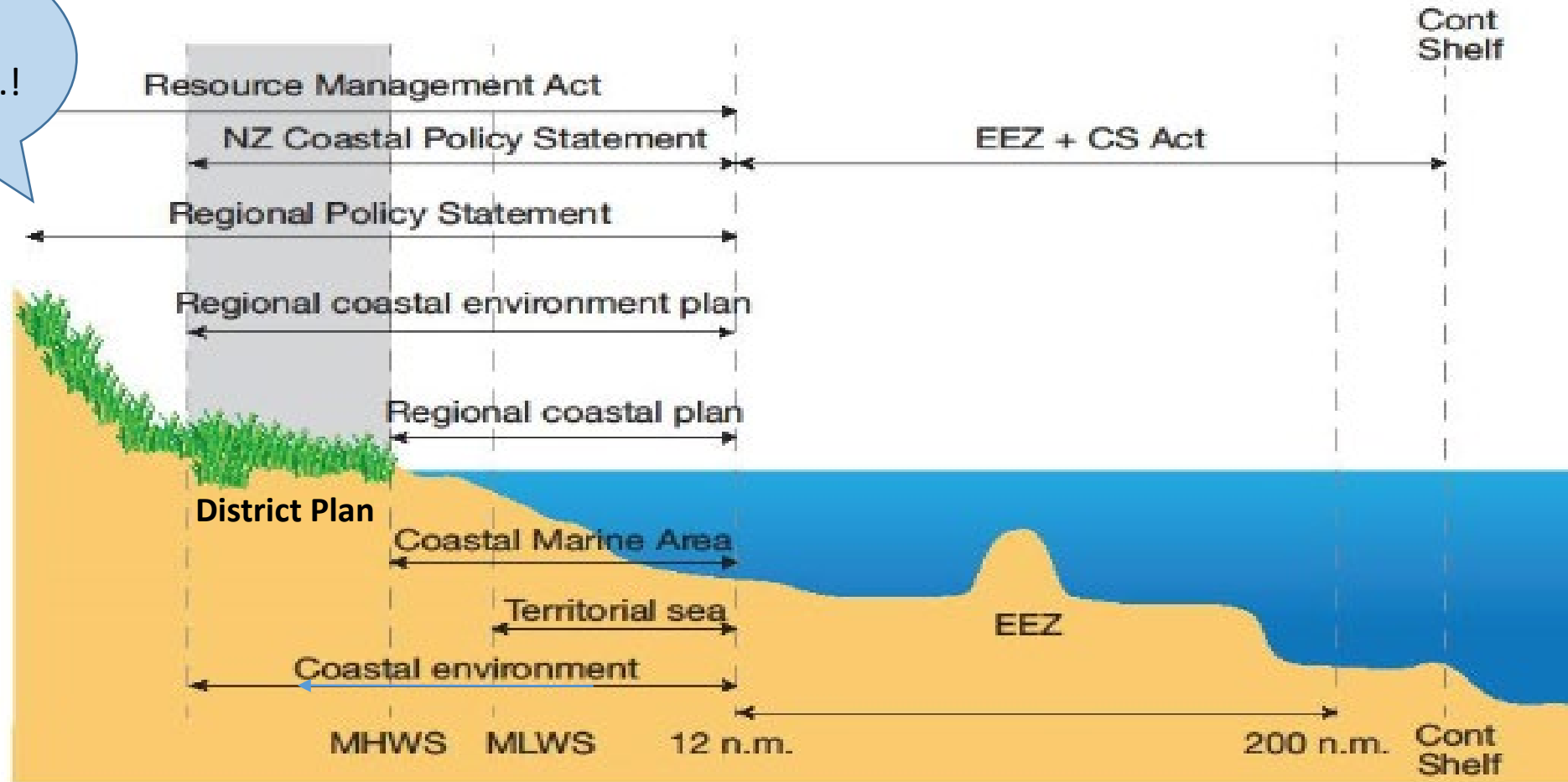
- **taking, use, damming or diverting** freshwater

5. Discharges of contaminants

- to land and freshwater; to air and to the coast

RMA coastal management jurisdictions

It's complex....!



- MHWS = Mean High Water Springs
- MLWS = Mean Low Water Springs
- EEZ = Exclusive Economic Zone
- Cont Shelf = Continental Shelf
- EEZ + CS Act = Eclusive Economic Zone + Continental Shelf (Economic Effects) Act 2012
- n.m. = nautical miles

Implementation - Resource consents

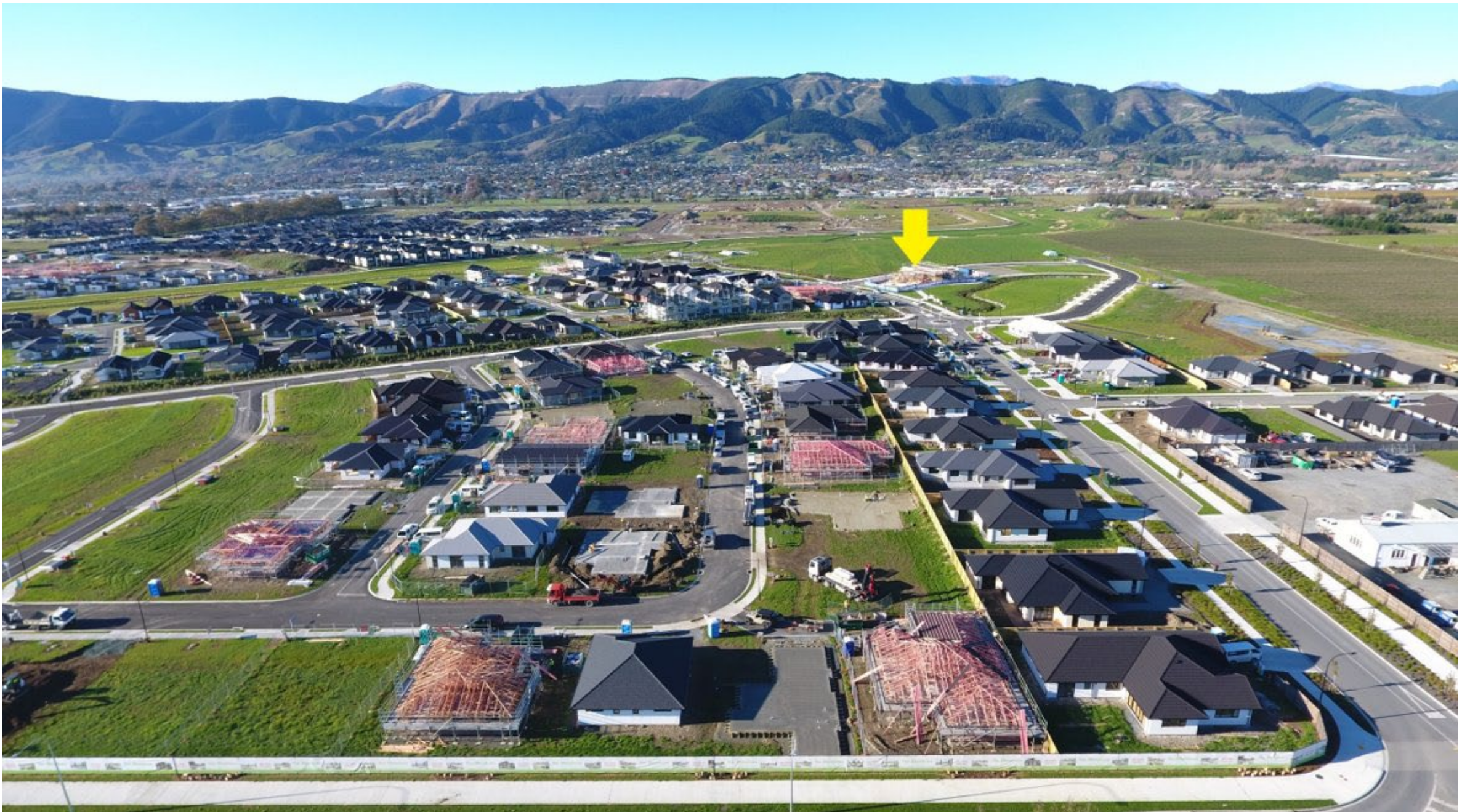
- TRMP sets out rules and context (objectives and policies) for resource consents
- Activity classification



- Status informs process, what we can look at, public participation and the decision
- Public participation in the RMA plan making gives legitimacy to using the TRMP rule provisions to guide Council decisions
- We also have national environmental standards and national policy statements



The Meadows – March 2019



The Meadows – May 2021

**NELSON TASMAN
FUTURE DEVELOPMENT
STRATEGY 2022 – 2052**

19 SEPTEMBER 2022



 Nelson
City Council | Te Kaunihera o
Whakatū

 tasman
district council | Te Kaunihera o
te tai o Aorere

Future Development Strategy

 tasman
district council | Te Kaunihera o
te tai o Aorere



About the FDS

- National Policy Statement on Urban Development
- Joined up strategic planning shared between Nelson & Tasman
- High level strategy to indicate growth areas suitable for housing & business
- 30 year time frame: 2022 – 2052
- Low, medium & high growth scenarios
- Adopted August 2022 by the Nelson Tasman Joint Committee

- Informs many of Council's plans and strategies

3. How the RMA and Local Government Act plans work together

RMA intersects with multiple other legislation:

- Building Act
- Conservation Act
- Biosecurity Act
- Reserves Act
- Public Works Act
- Land Transport Act
- Treaty Settlement Act
- Marine and Coastal Area Act
- Local Government Act and
- Many, many more.....



The Local Government Act

- Drives Long Term Plans (LTP), Infrastructure Strategies, Financial Strategies
- Sets framework for work programmes (AMPs), Annual Plans and Reports
- Rating policies, Significance and Engagement Policy, Development Contributions, Charges etc
- Provides process requirements for other strategies and policies

Different legislation, developed at different times, under different governments = Different processes



FUTURE DEVELOPMENT STRATEGY

LGA

Financial Strategies
.....

Infrastructure Strategies
.....

Asset Management
Plans & RLTPs
.....

Long Term Plans

RMA

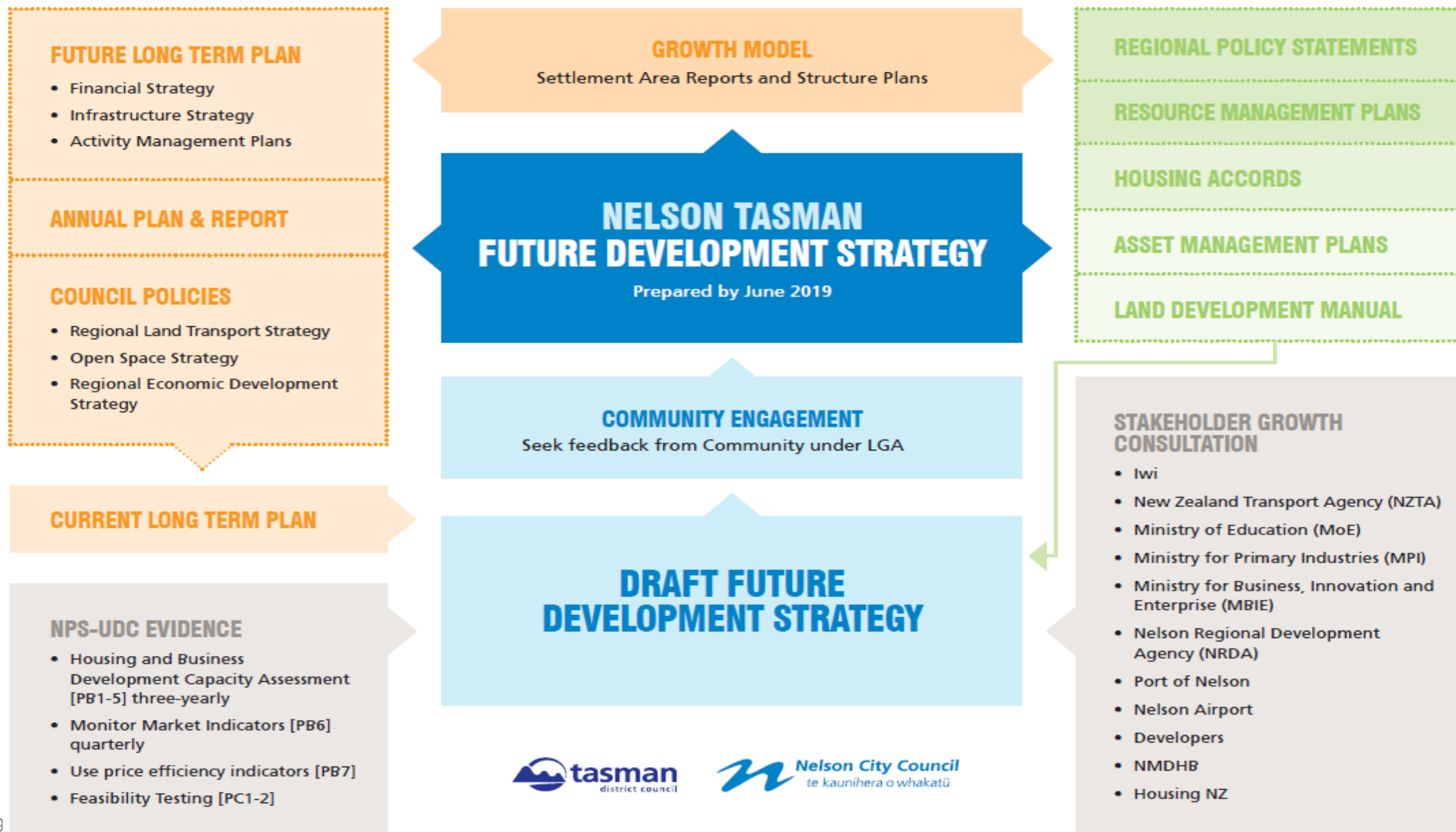
Regional Policy
Statements
.....

Resource
Management Plans
.....

Structure Plans

LTP *plans* and RMA plans *regulate* Council responses to issues

The FDS in context



4. Role of Council in Plan Making

Making LGA and RMA plans in local communities...

- Community aspirations and environmental data shape outcomes
- Political decisions on resource allocation vs public good; short and long timeframes; certainty vs precautionary
- Iwi Trust roles in plan making
- Wide range of competing views within our community to balance
- Decision-making on direction setting and hearings
- Quasi and full legal processes along the way
- Environment Court and higher courts also decision-makers for RMA plans – but not LTP



Councillors' role in Plan changes and review

Governance

- Decide scale and speed of project
- High level direction setting on issues and draft provisions (workshops)
- Reflect views of communities
- Consultation support

Decision making

- Scope of review/plan change
- Approval of planning documents for public release
- Hear and decide on plan changes



Why review?

- Changing environment, changing community, changing Issues
- Legislative duty; errors, RMA reform and case law
- Improving functionality and useability
- Reputation: out of date policy creates uncertainty and costs
- Complexity and Scale

Key Issues



Biodiversity/ Biosecurity



Freshwater



Population Growth



CC/Natural Hazards



What next?

- Further changes to the TRMP
 - Growth PCs
 - Deferred zoning PC
- Agree priorities for Tasman
- Decide on when to move to new system
 - What we do with TEP
- Combined plans with Nelson
- Separate regional planning committee





Thank you
