

Chapter 1 — Introduction

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1.1 A GUIDE TO THE DISTRICT PLAN

1.1.1 The Need for a District Plan

The Resource Management Act 1991 (RMA) requires Manukau City Council to have a District Plan. The purpose of the District Plan is to help the Council carry out its responsibilities under the RMA. These functions are set out in Section 31 (1) of the RMA as:

- (a) *The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- (b) *The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
 - (i) *the avoidance or mitigation of natural hazards; and*
 - (ii) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and*
 - (iia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land; [AM89]*
 - (iii) *the maintenance of indigenous biological diversity:*
- (c) *Repealed*
- (d) *The control of the emission of noise and the mitigation of the effects of noise;*
- (e) *The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes;*
- (f) *Any other functions specified in this Act.*

Section 31(2) of the RMA clarifies that the "methods used to carry out any functions under subsection (1) may include the control of subdivision".

[AM89]

It shares with the Auckland Regional Council (ARC) the responsibility for avoiding or mitigating natural hazards and any adverse effects of the storage, use, disposal or transportation of hazardous substances.

This District Plan replaces the four District Schemes currently operative within the City which were prepared under the former Town and Country Planning Act 1977. These Schemes, which together make up the operative Transitional Manukau District Plan, are:

- The Second Reviewed Manukau District Scheme (Operative April 1994);
- The Third Reviewed Howick District Scheme (Operative June 1994);
- The City of Papatoetoe Second Reviewed District Scheme (Operative May 1986); and
- The City of Tamaki Otahuhu Ward District Scheme (only part within Manukau City Council boundaries — Operative August 1989).

1.1.2 The Structure of the District Plan

The District Plan has two primary components:

- the *written text* which contains all of the resource management issues, objectives, policies and methods (including rules);
- the *planning maps* which indicate in graphic form the areas to which certain rules in the written text apply.

The written text should be read as a whole so that the common themes of the Plan and the relationship between the various chapters can be understood. There is a significant amount of cross-referencing in the text in order that repetition is avoided where possible.

To assist those using the written text of the District Plan it has been presented in Chapters. Each Chapter has a contents page. The Chapters form three groups as follows:

The general purpose of each chapter can be described as follows:

STRATEGIC CHAPTERS Chapters 2–4	Set out city-wide Resource Management Issues and Outcomes
IMPLEMENTATION Chapters 5–11	Contain Rules which apply city-wide
IMPLEMENTATION Chapters 12–17	Contain Rules which apply only within the Specified Areas on the Planning Maps

CHAPTER	TITLE	GENERAL PURPOSE
1	Introduction	Outlines content and form of plan, relationship to other plans and includes monitoring statement
2	The City's Resources	Analyses the state of the City's Resources
3	The City's People	Analyses the human dimension of sustainable management under the RMA
4	The City's Environment	Outlines city-wide Environmental Outcomes anticipated as a result of the implementation of the Plan's, Objectives, Policies and Methods
5	General Procedures and Rules	Contains general information and rules about resource consent procedures, designations and activities (e.g. signs) which occur throughout the City
6	Heritage	Sets out issues, objectives, policies and methods for cultural and natural heritage protection. Includes city-wide rules for heritage protection and cross references to rules in other chapters (e.g. Residential Heritage Zones)
7	Utility Services	Contains issues, objectives, policies and methods (including city-wide rules) for managing the effects of private and public sector network utility services
8	Transportation	Identifies issues concerning the City's transportation networks and sets out city-wide rules for managing the effects of the use of those networks. Includes parking, access and circulation requirements
9	Land Modification, Development and Subdivision	Sets out issues, objectives and policies and specifies management methods and city-wide rules relating to the effects of the land development and subdivision process. Sets out financial contributions relating to this process and includes rules for the avoidance and mitigation of natural hazards
10	Hazardous Facilities and Substances and Waste Management	Identifies issues relating to the effects of waste and hazardous substances and identifies objectives, policies and methods. Contains rules for the City's two sanitary landfills and for controlling the effects of hazardous substances

CHAPTER	TITLE	GENERAL PURPOSE
11	Coastal Environment and the Surface of Rivers	Sets out issues, objectives, policies and methods for the Coastal Environment and the Surface of Rivers. Cross references to rules about Coastal Protection Yards and Esplanade Reserves and Strips. Contains city-wide rules for the Surface of Rivers
12-16 17	Rural Areas — Residential Areas — Business Areas — Public Open Space — Future Development Areas — Special Areas and Activities	These Chapters identify issues and contain objectives, policies and methods (non-regulatory and regulatory). The rules only apply in the areas identified on the planning maps. The Public Open Space Chapter contains rules requiring financial contributions from subdividers and developers for public open space purposes
Appendix	Interpretation and Definitions	Contains definitions for terms which apply in all the foregoing chapters

1.1.3 Content of the Plan [AM89]

Section 75 of the RMA requires that a District Plan must state:

- (a) the objectives for the district; and
- (b) the policies to implement the objectives; and
- (c) the rules (if any) to implement the policies.

In addition, the District Plan may state:

- (a) *The significant resource management issues for the district; and*
- (b) *The methods, other than rules, for implementing the policies for the district; and*
- (c) *The principal reasons for adopting the policies and methods; and*
- (d) *The environmental results expected from the policies and methods; and*
- (e) *the procedures for monitoring the efficiency and effectiveness of the policies and methods; and*
- (f) *The processes for dealing with issues that cross territorial authority boundaries; and*
- (g) *The information to be included with an application for a resource consent; and*
- (h) *any other information required for the purpose of the territorial authority's functions, powers, and duties under this Act.*

A District Plan must give effect to:

- (a) any national policy statement; and
- (b) any New Zealand coastal policy statement; and
- (c) any regional policy statement.

A District Plan must not be inconsistent with:

- (a) a water conservation order; or
- (b) a regional plan for any matter specified in section 30(1).

A District Plan may incorporate material by reference under Part 3 of Schedule 1 to the RMA.

[AM89]

Resource Management “Issues”, “Objectives”, “Policies”, “Methods” and “Environmental Results” are not specifically defined in the RMA. The following descriptions provide a guide to how these terms are used in this plan.

Issues

An issue occurs when an activity (such as urban development) impacts on a resource (such as water) which creates an adverse environmental effect (which may be an actual, potential or cumulative effect) and necessitates some form of intervention. If there is no effect then there is no significant issue. The RMA requires the identification of issues as a means of focusing on the need for intervention. The Plan's purpose is to promote sustainable management (see Section 1.3.2) through the resolution of issues.

Objectives & Policies

Objectives and Policies set out a cohesive framework for the direction the Council intends to take in relation to the identified issues. Objectives do this at a general level and tend to be more outcome oriented while policies tend to be more means oriented and relate to specific effects. Objectives and policies are required for two reasons. Firstly, they illustrate the analytical process of plan preparation and thereby help explain the purpose of methods including rules and standards. Secondly, and more importantly, they guide decision-making when there is a departure from the rules or where the Council has retained some decision-making discretion. Objectives and policies generally tend to be more stable than methods which may change over time.

Methods

The actual ways of putting the objectives and policies into effect. They can include rules, educational strategies, service provision and financial incentives. Methods, and more particularly rules, are required to provide certainty for resource users to undertake activities with minimal encumbrance. Rules are, however, only one part of the Plan and a proposal, while failing to comply with the rules, may still be in accord with the objectives and policies of the Plan.

Environmental Results

The anticipated outcomes from the implementation of the objectives, policies and methods.

Each of the Implementation Chapters contains a section which addresses these matters. The Chapters also contain an **explanation in italicised text** to help readers understand the principal reasons for the provision and to interpret the plan's provisions. Each Chapter also contains a section outlining the **monitoring procedures** to be used in monitoring the effectiveness of the provisions of that Chapter.

Some chapters contain a section which consists of the reasons for adopting the objectives and policies. This is called **Resource Management Strategy**. All Chapters contain an **Implementation** section which describes both regulatory and non-regulatory methods and explains the principal reasons for adopting the chosen mix of methods.

1.1.4 Development of Objectives, Policies and Methods

The RMA requires a **rigorous** and **explicit** process of forming objectives, policies and methods. These requirements are embodied in a series of **duties** set out in Section 32 of the RMA. The general effect of these principles is to impose a duty on persons exercising functions and powers under the Act to consider a wide range of **instruments** which might be used to deal with a particular objective, to consider the various **costs** and **benefits** associated with each of the instruments, and then to use the most **efficient** and **effective** amongst those instruments to achieve the objectives. A **record** of how the Council has discharged these duties is required to be prepared and to be publicly available.

[AM89]

In many cases, the method used in the District Plan to achieve objectives and policies will be the setting of rules to control land use. Resource consents (and their associated conditions) are a crucial tool for the management of the effects of development. Integrated management of effects will, however, require the use of other mechanisms to help achieve environmental outcomes, particularly in cases where a rule may not be the best solution.

The Council will use advocacy, the provision of information, education and incentives (including economic incentives such as financial contributions, or rates relief) where appropriate. Often these approaches are backed up by District Plan rules. The Council also has the ability to use other regulatory means (for example, bylaws) and its operational activities to influence the use, development or protection of natural and physical resources.

The rules contained in the District Plan are intended to protect the environment from the adverse effects of activities.

District Plan rules operate on a general or specific level. Where an effect has city-wide implications, the rules apply generally. Heritage rules are an example of this. For more specific areas, effects or city-wide resource issues, rules focus on the particular level of effect or the situation where the effect will be experienced. For example, noise rules differ in different locations.

The District Plan contains rules which categorise activities as follows:

- Permitted
- Controlled
- Discretionary (including Discretionary Activities where the Council restricts its discretion)

Broadly speaking, activities are categorised in order of increasing actual or potential adverse effects in accordance with the following:

Category	Significance of Actual or Potential Effects	Probability of Generating Actual or Potential Effects
Permitted	Minor	Low
Controlled	Minor	High
Discretionary	More than Minor	Medium/High

Resource consents are not required for **Permitted Activities** but are required for all other categories of activities. **Discretionary Activities** have been divided into those where Council has chosen to restrict the exercise of its discretion to certain matters, and those where there is no restriction on the exercise of Council's discretion: the former categories are identified in the Plan as **Restricted Discretionary Activities**. Where rules in the Plan are contravened, applications will be deemed to be **Non-complying** and a resource consent will be required. Notification procedures for the various categories of activities are set out in the General Procedures and Rules Chapter.

The RMA also allows for a **Prohibited** category to be used. This is for activities which have totally unacceptable adverse effects which cannot under any circumstances be avoided, remedied or mitigated.

1.2 DISTRICT PLAN PREPARATION AND EVOLUTION

1.2.1 District Plan Preparation

The RMA states that during the preparation of the District Plan the Council **shall** consult with:

- the Minister for the Environment;
- other Ministers of the Crown who may be affected;
- local authorities who may be affected; and
- the tangata whenua of the area who may be so affected through iwi authorities; and
- the board of any foreshore and seabed reserve in the area.

[AM89]

The RMA states that the Council **may** also consult with anyone else during the preparation period. “Consultation” has been held to “... involve the statement of a proposal not yet finally decided upon, listening to what others have to say, considering their responses and then deciding what will be done ...” (see *Wellington Airport v Air New Zealand* 1 NZLR671).

The Council has met and exceeded these requirements in its pre-notification consultation processes. The consultation process began in early 1993 with the publication of “*Our Environment — Te ao turoa*” a document designed to generate discussion of resource management issues in Manukau. This publication was part of a wider public consultation exercise called “*Vision of the Future*” which involved a series of public meetings and a large number of special interest group workshops. This exercise provided valuable input into the identification of important resource management issues in the City. Targeted surveys and consultation further refined the issues and possible responses.

Active canvassing of representative community and interest groups and the public release of drafts of the key chapters of the plan has allowed full input into the formulation of objectives, policies and methods. Where proposals were judged to impact directly on specific individuals or groups, contact was made either in person or by letter.

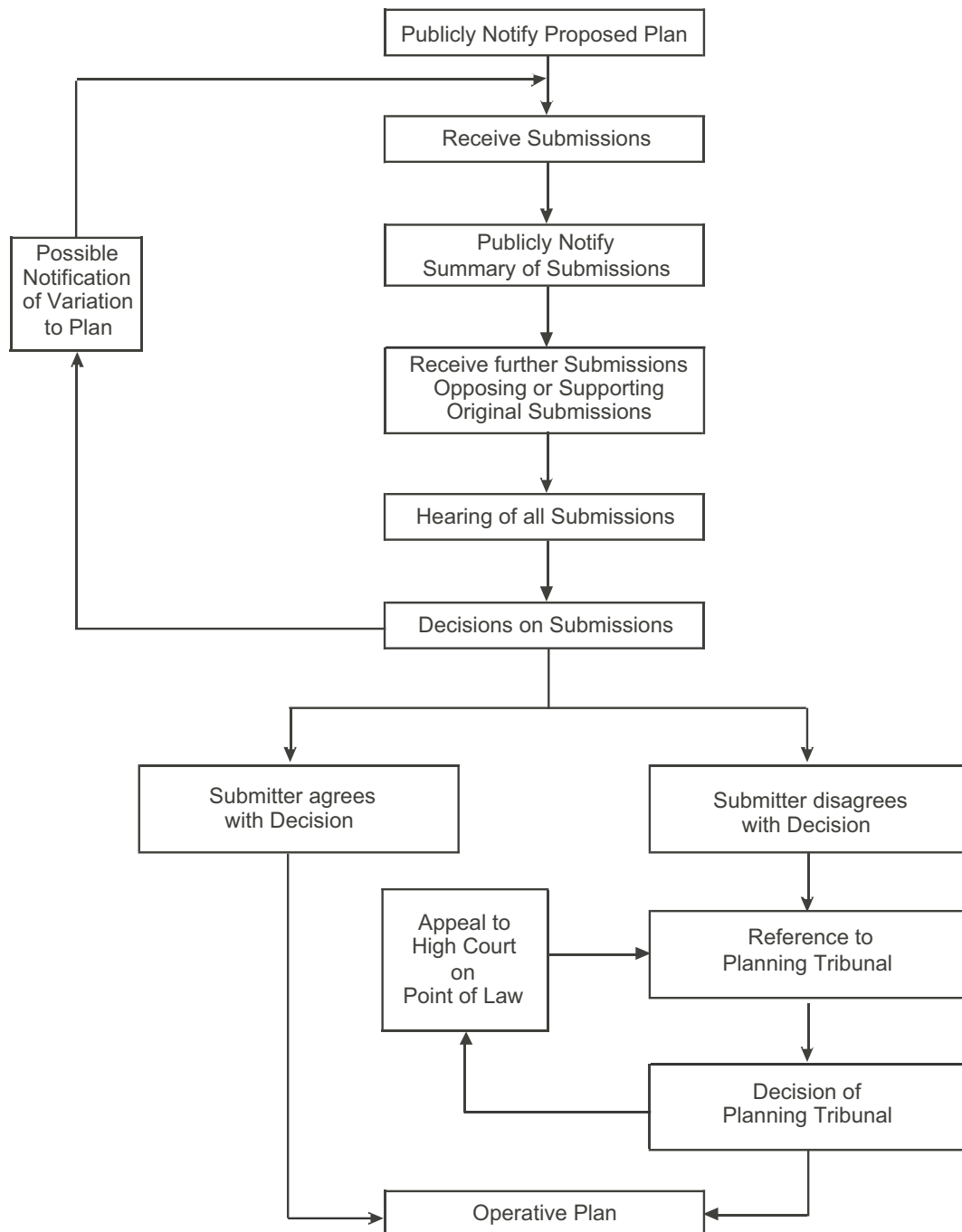
In addition, the Council has consulted extensively with tangata whenua, central and local government bodies and other statutory agencies to ensure that the plan is consistent with the RMA and the responsibilities of those bodies and agencies (see Section 1.6 for discussion of cross-boundary issues).

This process of pre-notification consultation is followed by a period of formal submissions, Council hearings and reference to the Environment Court as required by the RMA and summarised in **Figure 1.1**.

The combination of an open and inclusive pre-notification process, together with a formal and rigorous legal process, has resulted in a Plan which has benefited from much more comprehensive public input than any previous District Scheme. The Council believes, therefore, that the Plan embraces a wide range of concerns and aspirations and closely represents a consensus view of the City’s stakeholders as to the sustainable management of the natural and physical resources of the City.

1.2.2 District Plan Evolution

The Council views this District Plan as an evolving document. It has been designed so that additions can be made whenever new information, research and community aspirations justifies it. The document is subject to ongoing reviews and monitoring. To date, limited resources have been devoted to environmental monitoring. This has resulted in an inadequate basis for policy analysis and the development of effective policy instruments. It is therefore fully expected that once the Plan is made Operative further work and refinement will be required to fully meet both the purpose of RMA and community expectations.



**FIGURE 1.1 THE DISTRICT PLAN PREPARATION PROCESS
— FORMAL COMPONENT**

1.3 THE PURPOSE AND PRINCIPLES OF THE RESOURCE MANAGEMENT ACT

1.3.1 Background

The Resource Management Act (RMA) came into effect on 1 October 1991. Its enactment was the result of a comprehensive process of resource management law reform which was conducted in the period 1988 to 1991.

The reform exercise took place against a background of a number of **wider socio-economic changes** in New Zealand over the last decade, in particular:

- a **growing environmental awareness** on a global basis (U.N.C.E.D conference in Rio de Janeiro and the subsequent “Agenda 21”)
- the **deregulation of the economy** (reducing the role of government)
- the **reform of the public sector** (to improve its efficiency, accountability, accessibility)
- increased awareness and recognition of the rights and obligations imposed by the **Te Tiriti o Waitangi**.

Within the context of these wider changes the review sought to address what were perceived to be problems with the then existing legislation. The explanatory notes attached to the Resource Management Bill (the forerunner to the RMA) identified these as follows:

- there was no **consistent** set of resource management objectives;
- there were **arbitrary** differences in management of land, air and water;
- there were **too many agencies** involved in resource management with overlapping responsibilities and insufficient accountability;
- consent procedures were **unnecessarily complicated and costly**, and there were undue **delays**;
- pollution laws were ad hoc and **did not recognise the physical connections between land, air and water**;
- in some aspects of resource management there was **insufficient flexibility** and **too much prescription**, with a focus on activities rather than end results; Maori interests and the **Treaty of Waitangi** were frequently overlooked;
- **monitoring of the law was uneven**; and
- **enforcement was difficult**.

1.3.2 The Purpose of the RMA: Sustainable Management

The purpose of the Act is stated in section 5(1):

“The purpose of this Act is to promote sustainable management of natural and physical resources.”

The effect of such an express statement of purpose is that anything that is done under the Resource Management Act must advance this statutory purpose of sustainable management.

‘Sustainable management’ is defined in section 5(2):

“In this Act, ‘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 (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding 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 term ‘natural and physical resources’ is itself defined as including:

“land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.”

The Act is about the promotion of sustainable management. It means that people (individuals) and communities (groupings of people) should be enabled to provide for their own well being (needs). This is distinct from regulatory authorities determining peoples’ needs and planning for them. The assumption behind the Act is that people know what their needs are and how to meet them. They can provide for their needs in a number of ways either as an individual or through some collective process such as a company, organisation or other agency for the various goods and services they desire. This includes councils’ service delivery functions.

Of course people in meeting their needs will interact with (use and affect) natural and physical resources. The Act requires that such interaction occur only to the extent that the biophysical environment remains sustainable. For people to use/interact with those natural and physical resources it must be considered, overall, whether sustainable management would be promoted with regard to the ‘tests’ or requirements of Section 5(2)(a), (b) and (c).

Section 5 (2)(a) requires the consideration of future generations so that decisions made now about resource use do not foreclose on options in a way that will prevent future generations meeting their own needs. This is different from having to provide for the needs of future generations. At the least, it is about passing on the stock of natural and physical resources to the next generation in no worse condition than they are now and in sufficient quantity to meet their needs. In some cases this may mean ceasing current activities or unsustainable patterns of resource use. If the potential of the resources is sustained then it follows that needs will be able to be met. One of the main ways this will be achieved is through the internalisation of environmental costs. This means that those people and organisations generating adverse effects are aware of them and take steps to avoid, remedy or mitigate those effects. It is the Plan’s function to ensure that this happens.

1.3.3 The Principles of the Act

Sections 6, 7 and 8 of the RMA are principles of varying importance intended to give guidance as to the way in which the purpose of the RMA is to be achieved. The constraints found in Section 5 (2) are refined

and given further meaning by these sections but the wording of each of sections 6, 7 and 8 lays down the relative weight to be given to each of those sections as follows:

"6. Matters of national importance —

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;*
- (f) *The protection of historic heritage from inappropriate subdivision, use, and development;*
- (g) *The protection of recognised customary activities.*

[AM89]

7. Other Matters —

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to —

- (a) *Kaitiakitanga;*
- (aa) *The 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;*
- (e) *Repealed*
- (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.*

[AM89]

8. Treaty of Waitangi —

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)."

1.3.4 The Distinction between “Sustainable Management” and “Sustainable Development”

It is important to make the distinction between **Sustainable Development** which underlies Agenda 21 and **Sustainable Management** which is required by and defined in the RMA. Sustainable Management does not have the social, economic, and political dimensions of Sustainable Development. Nevertheless, the following principles of sustainable development have some applicability when undertaking sustainable management of natural and physical resources:

- **Dependency.** All life ultimately depends on the health of the natural environment. Clean air, water and land are essential for life. Pollution, contamination and degradation undermine the environment's capacity to support life.
- **Irreversibility.** Certain elements (such as species, landforms and heritage items) can be lost forever. It is not known which of these things will be needed in the future, or how people will value them.
- **Diversity.** Diversity is essential in both the natural world and the human context. Diversity adds vitality to the city and allows people and systems to adapt to change or disruption. As we lose diversity we lose the ability to counteract adverse effects.
- **Efficiency.** Renewable and non-renewable resources need to be used efficiently to minimise the effects caused by their use. Reducing unnecessary use and recycling resources helps avoid producing waste, pollution and environmental degradation.
- **Finite resources.** Physical laws determine that the planet's basic elements and materials together constitute a resource base that is essentially finite. Other resources are in limited supply. Sound choices must be made about how to use finite resources.
- **Equity.** Sustainability means allowing people to meet their needs and achieve their aspirations both now and in the future. Equity is an essential step in achieving sustainability and includes enabling communities to care for their environments and influence change.
- **Precautionary approach.** We can never have perfect information with regard to resource use. There will always be some uncertainty. However, where there is reasonable doubt or the potential exists for significant harm, a precautionary approach should be taken to minimise future regrets.

These principles do not mean that society is restrained from moving forward. They mean that where change or development occurs, sustainability and what it entails must guide the development process.

1.4 FUNCTIONS AND RESPONSIBILITIES UNDER THE RESOURCE MANAGEMENT ACT

1.4.1 Central Government

Under the RMA, '**central government**' includes the Ministry for the Environment and the Department of Conservation. The role of the Ministry for the Environment is to monitor the effect and implementation of the RMA. There are some methods which the Ministry may use to influence resource management, including the ability to issue **National Policy Statements** to guide local government decisions, and to set **National Environmental Standards** through regulations for among other matters noise, contaminants, water, soil and air quality. [AM89]

The Department of Conservation has responsibility for providing a management framework for the country's coast through the development of a **New Zealand Coastal Policy Statement**. It also has the function of approving **Regional Coastal Plans** and, in certain situations, it has consent granting functions.

1.4.2 Regional Councils

Regional Councils have been given the primary responsibility for the management of water, soil, geothermal resources, air quality and pollution control (excluding noise). They also have responsibility for regional aspects of natural hazard avoidance or mitigation, soil conservation and hazardous substances. They have joint control (with the Minister of Conservation) of various resource management issues in the coastal marine area. Each region must prepare a **Regional Policy Statement** which provides an overview of the resource management issues of the region, and policies and methods to achieve integrated management of resources.

A **Regional Coastal Plan** must be prepared and other **Regional Plans** (e.g. a Regional Plan for Air Quality or Stormwater Quality) may also be prepared, where specific resources or issues require more detailed management than can be achieved through regional policy statements.

1.4.3 Territorial Local Authorities

Territorial local authorities (e.g. district and city councils) have primary responsibility for managing the effects of land use activities and the other matters specified in Section 31 of the RMA.

Each territorial authority is required to prepare and implement a **District Plan**. District Plans are designed to assist the territorial authorities carry out their functions in order to achieve the purpose of the Act. District Plans "... must give effect to ..." (Section 75(3) RMA) any National Policy Statements (including the New Zealand Coastal Policy Statement) or Regional Policy Statements. [AM89]

Figure 1.2 shows the relationship between these policy statements and plans.

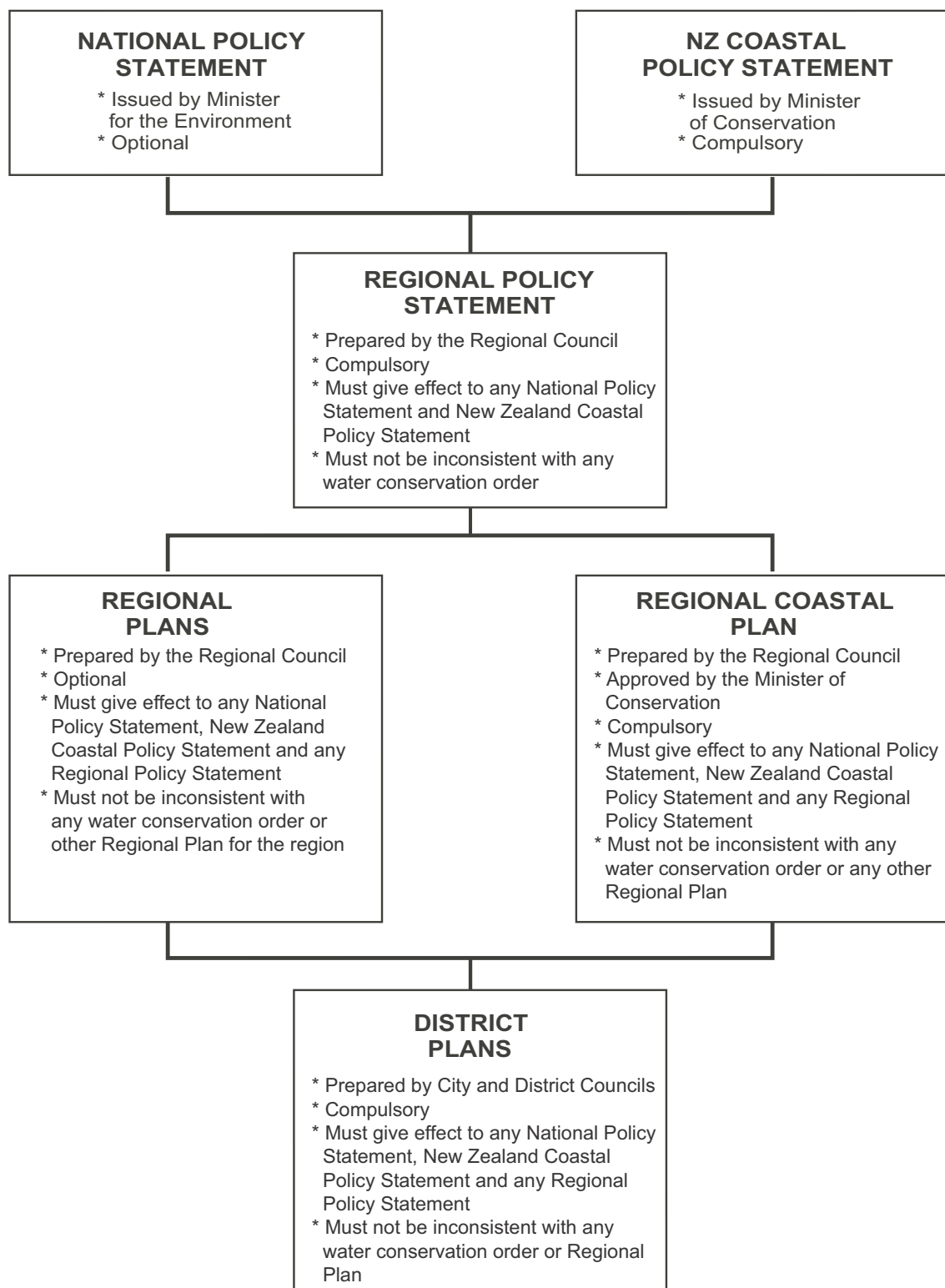


FIGURE 1.2 RELATIONSHIP BETWEEN POLICY STATEMENTS AND PLANS
[AM89]

1.4.4 The Need for Integrated Management of Effects

Figure 1.2 shows some of the complexity of relationships between agencies with resource management responsibilities.

In order to achieve integrated management of natural and physical resources across agencies; the RMA requires that the District Plan must give effect to any National Policy Statement, any New Zealand Coastal Policy Statement, and any Regional Policy Statement, and shall not be inconsistent with a Regional Plan. However, integration across agencies can also be assisted by: [\[AM89\]](#)

- joint hearings as provided for under S102 of the RMA;
- formal and informal working groups on specific resource management issues;
- consultation processes prior to plan making;
- information sharing — particularly of environmental monitoring data;
- clear understanding of jurisdictions and responsibilities; and
- delegation of some functions (e.g. air quality, coastal management) under S33 of the RMA

All of these approaches are necessary to ensure that the fit between the policies of different agencies is good and that each agency is not going off in a different direction.

Section 31(a) of the RMA requires “... **integrated management** of the effects of the use, development or protection of land and associated natural and physical resources of the district ...”. Integrated management across agencies requires consideration of the regional context in which the District Plan is being prepared and of the relationship between the various functions exercised by the Regional Council and the functions exercised by the City Council. Section 1.6 explores cross-boundary issues and processes for their resolution with other territorial local authorities and across the Coastal Marine Area interface. Section 1.5 discusses integrated resource management in the context of various functions exercised by the City Council under other legislation, such as the Local Government Act. Chapters 2–4 discuss the notion of integrated resource management across resources and in terms of the aspirations of people and communities.

1.5 THE RELATIONSHIP BETWEEN THE DISTRICT PLAN, THE CORPORATE STRATEGIC PLAN AND THE ANNUAL PLAN

1.5.1 The District Plan

The District Plan is required by the RMA and must be reviewed every 10 years. The focus of the District Plan under the RMA is primarily the “sustainable management” of the **City’s** natural and physical resources — a focus which is totally different to that of the Corporate Strategic and Annual Plans which deal with the **Council’s** resources.

The District Plan is therefore much more open to influences from **outside** the Council and is very much a plan for the **City** and all its communities and residents. Its final shape is also much more influenced by legal process with judicial oversight over Council’s decisions by the Environment Court. This Court is part of the justice system and is therefore an entirely independent arbiter of resource management decision-making.

District Plans are intended to be focused on the sustainable management of **natural and physical resources** and consequently strictly social and economic objectives that are to be pursued by the Council

on behalf of the City's residents are best incorporated in a Corporate Strategic Plan (long-term goals and medium term strategies) or Annual Plan (short-term objectives).

1.5.2 The Annual Plan

Under the Local Government Act, the Council is required to produce an **Annual Plan** which includes:

- the intended significant policies and objectives of the local authority;
- the nature and scope of significant activities to be undertaken;
- the performance targets and measures by which performance may be judged in relation to the objectives and significant activities;
- the indicative costs; and
- the sources of funds.

The Annual Plan process allows for annual debate by both the public and the politicians on what will be the major issues for the year ahead and for decisions as to what trade-offs should be made in terms of the **Council's financial, physical and human resources** so as to best achieve the corporate objectives. Clearly, debate will focus on how these resources should be best used to achieve objectives which may, in some circumstances, be conflicting.

The Annual Plan (and the corresponding **Annual Report** on performance) has a three year horizon: it is to plan for matters for the financial year in which it is produced and in general terms for each of the following two financial years.

To undertake its corporate planning effectively the Council has had to look beyond the constraints of the Annual Plan/Annual Report process. It has chosen to prepare a separate (non-statutory) Corporate Strategic Plan (called "Strategic Directions"), as a 15 year planning document which considers a wide range of social, economic, health and infrastructure issues. It is a vehicle through which the Council will determine where to invest its resources on behalf of its ratepayers.

1.5.3 The Corporate Strategic Plan

The Council has adopted a Draft Corporate Strategic Plan. In it the Council expresses its vision for the City which consists of the following elements.

- **Diversity**

Manukau City will be acclaimed for its diversity and its many cultures. As part of the Auckland Region, it will be an important place in the Asia/Pacific Basin. It will be a people place, with effective partnerships between tangata whenua, the local authority, community and business sectors.

- **Opportunity**

Residents will have opportunity and choice for their basic needs; sustenance, shelter, health, spirituality and security, as well as belonging and identity. This will embody opportunity for education and employment. They will feel part of and participate in the community and will be encouraged in personal development and self-help.

- **Economy**

The City will be the manufacturing heart of New Zealand. There will be a vibrant rural economy based on the productive use of land for a variety of agricultural purposes. Business confidence will be high with significant opportunities for investment. The environment will be encouraging for all businesses including research and development, and appropriate for diverse employment. Manukau will be a place where small businesses are encouraged and supported to start up and flourish.

- **Natural Environment**

The City's natural environment including air, water, forests, and coastal areas, and the rural landscape will be protected and managed. This will ensure the preservation of the diversity of flora and fauna and maintain a high standard of environmental amenities. Finite resources such as land and minerals will be managed to ensure they are used to best effect.

- **City Form**

The urban form of the City will develop in a planned manner with high standards in urban design and residential amenities. Development and management of the City will respect the sustainable environment. Diversity will also extend to the range of social, cultural and leisure opportunities, supported by the "green" quality environment and open space.

- **Community Life**

Community needs will be met by the timely provision of accessible physical, social and leisure facilities, services and opportunities. Community life will be rich and rewarding for the City's residents. Pride and cultural diversity, active citizen participation in community affairs, and interests in the well being of all members of the community will be reflected in secure neighbourhoods with distinct identities and character. All people will have mobility through an enhanced public transport system that will reduce dependence on cars.

- **Unique Identity**

Manukau City will have its own unique identity and significance as part of the Auckland region that will engender civic pride amongst its people. The City will be attractive to residents and visitors.

Clearly, a number of these elements are related either directly or indirectly to the Council's resource management responsibilities and have been taken into account in preparing the District Plan.

The following goals with explicit relationships to the Council's resource management responsibilities are identified in the Plan:

A city which provides for diverse lifestyles offering a choice of work, leisure and living opportunities with:

- *a compact and more densely settled urban area*
- *rural open space character*
- *a clearly defined urban/rural boundary*
- *protection of coastal edges*
- *retention of natural landscape and cultural heritage*

A sustainable compact urban form contained within defined metropolitan limits incorporating:

- *a vital growing city centre*
- *diverse communities and neighbourhoods*
- *effective transport links*
- *dynamic industrial areas*
- *generous open space*
- *vibrant public architecture*

A Public Open Space network which contributes significantly to the well being of the community and to the protection of the natural and cultural heritage by:

- *preserving outstanding natural and cultural landscapes within the city*
- *providing a wide range of recreational opportunities for active and passive recreation*
- *ensuring equity in the distribution, amount and variety of Public Open Space*
- *protecting the quality and diversity of the natural environment*

A sustainable and integrated city transportation system which is designed for:

- *the safe and efficient movement of people and goods*
- *an economically and environmentally sustainable future*
- *integration with land use patterns and policies*

The provision of a public stormwater drainage system that protects people, property and the natural environment from the adverse effects arising from surface water flooding and pollution.

- *the enhancement and improvement of water quality or urban stormwater discharged into the natural environment.*
- *establishing and protecting systems which reduce property damage from flooding.*

Achievement of a city culture which embraces the principles of sustainability through waste avoidance and cleaner production.

The Corporate Strategic Plan also details corporate strategies which will be important to the evolution of this plan (e.g. funding the establishment of an improved environmental monitoring programme) and could play an important role in achieving the objectives of the District Plan through non-regulatory methods (e.g. enlarging the Heritage Assistance Fund and extending rating relief, and purchasing heritage assets).

In preparing the District Plan, the contents of the Draft Corporate Strategic Plan have been taken into account, **bearing in mind the Plan's Draft status and the Council's responsibilities under the RMA.**

1.5.4 The Relationship between the Plans

Figure 1.3 is an attempt to summarise the relationship between the three plans referred to above.

The longer-term focus of the corporate strategic plan clearly parallels the District Plan. An important component of the District Plan will be to ensure that, in pursuing the Council's corporate goals, activities

undertaken by the Council do not conflict with the sustainable management of the **City's** natural and physical resources. Interaction between the two plans is, therefore, crucial.

As Figure 1.3 shows, both Plans also depend on interaction with the wider community. However, in other respects they are quite different. The District Plan is governed by a tightly defined legal process which contains many checks and balances including the fact that the Environment Court not the Council, is the final arbiter of what the District Plan contains. On the other hand, the Corporate Strategic Plan will follow a process where political accountability is paramount.

The RMA requires that alternative methods to regulations be examined in implementing resource management policies and that other tools such as economic instruments, educational or information strategies and the provision of services be investigated and used if they prove to be more effective and less costly.

Clearly, there is an interrelationship in this regard between the District Plan and the Corporate Strategic Plan. For example, an environmental objective in the District Plan may result in a policy which indicates that the objective will be achieved through rates relief, a Council sponsored promotional campaign or the provision of some physical services such as a wastewater treatment system. Clearly, such a policy can only be implemented by the Council making financial provision for it in its Annual Plan. This linkage will need to be made clear in the District Plan. The elected Council is therefore central to the relationship between the District Plan and the Corporate Strategic Plan.

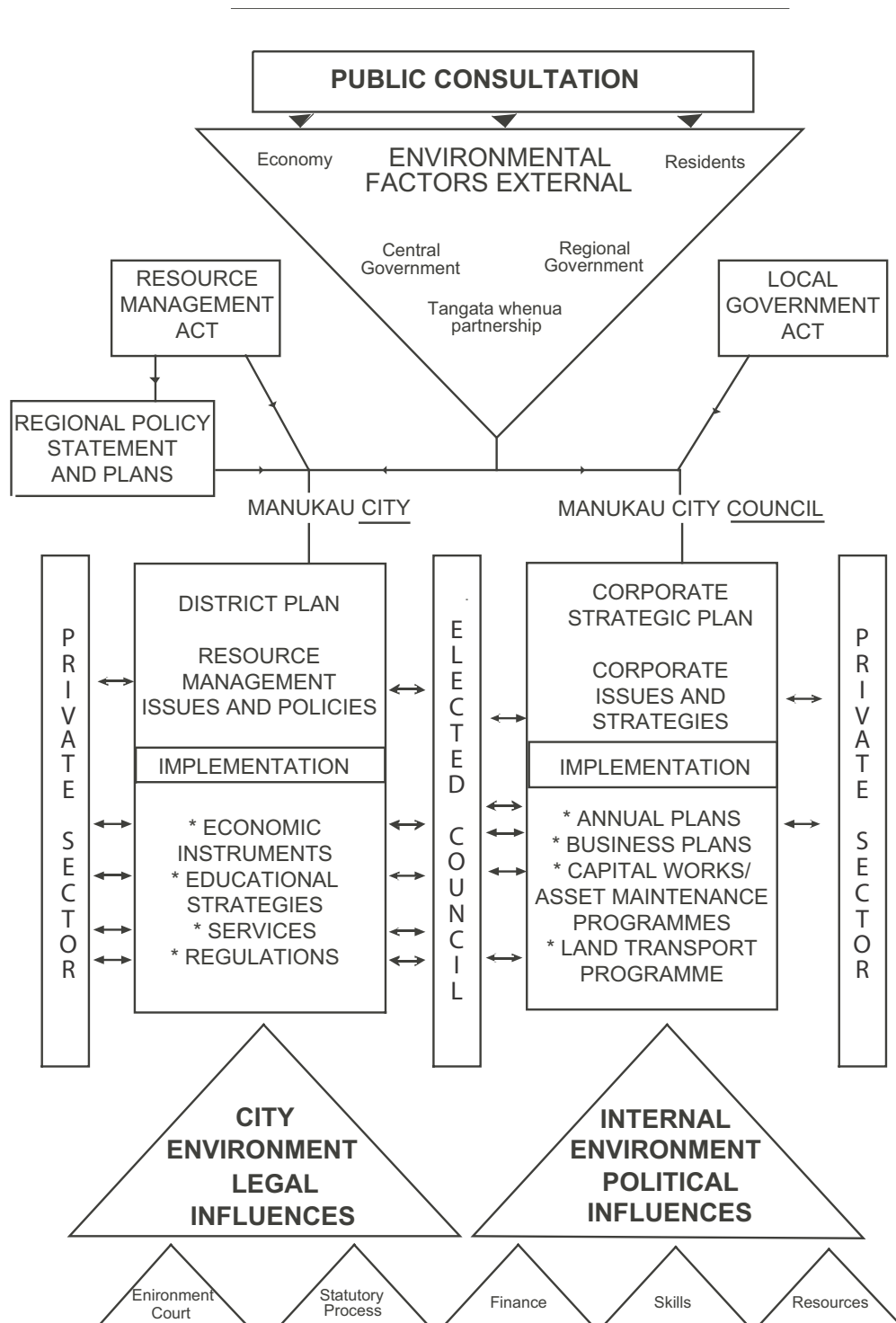


FIGURE 1.3 RELATIONSHIP BETWEEN CORPORATE STRATEGIC PLAN AND DISTRICT PLAN

1.6 CROSS-BOUNDARY ISSUES AND PROCESSES FOR THEIR RESOLUTION

Section 75(2)(f) of the RMA provides that a District Plan may state “the processes to be used to deal with issues which cross territorial boundaries”. The City abuts Auckland City in the north and Papakura District and Franklin District in the south. Its extensive coastline means that the boundary with the Coastal Marine Area (which is under the jurisdiction of the Auckland Regional Council) is particularly significant. [AM89]

Cross-boundary issues which may arise include:

- activities which may give rise to adverse environmental effects in a neighbouring jurisdiction;
- designations for major infrastructural items which cross territorial boundaries (e.g. major arterial roads or airport height restrictions);
- differing rules relating to activities near a territorial boundary (e.g. rural subdivisional standards or rules);
- incompatible standards that relate to infrastructure (e.g. differing road standards or rules relating to public utility networks);
- different approaches to managing the effects of activities on ecosystems which traverse boundaries (e.g. the coastal marine area boundary);
- the possibility of utilising cross-boundary Transferable/Tradeable Development rights to manage the effects of activities on a regional basis; and
- resource consent matters, primarily of regional concern, which may affect two or more territorial authority districts.

In all cases the Council will prefer the use of informal processes of consultation in seeking to resolve these issues. However, particularly in circumstances where resource management issues arise in an adjoining district which have an adverse effect on Manukau City, the Council reserves the ability to use the formal processes of the RMA including the preparation and lodging of submissions with the relevant body and the reference of matters to the Environment Court.

In considering cross-boundary issues, the Council will have regard to the contents of any National Policy Statement, the Regional Policy Statement, any relevant Regional Plan and the provisions of the Manukau City District Plan. Liaison shall occur with the Regional Council to promote integrated coastal management across the coastal marine area boundary of Mean High Water Springs.

Where the Council receives an application for a resource consent which is to be notified and the activity may give rise to adverse effects in a neighbouring jurisdiction, land owners in that jurisdiction and the appropriate local authority will be notified.

In cases where written approval of persons who may be adversely affected by the granting of resource consents is required by Section 94 of the RMA, the presence of a territorial boundary will be no bar to the seeking of that approval.

Where a resource consent or requirement notice is received by the Council for an item of infrastructure or a network which crosses territorial boundaries, the Council will, where appropriate, hold a joint hearing with the other relevant territorial authority in accordance with Section 102 of the RMA.

1.7 MONITORING STATEMENT

1.7.1 The Need for Monitoring

Section 75(i) of the RMA requires that the District Plan states the procedures to be used to review the objectives, policies and methods of the Plan in order to monitor the effectiveness of the Plan in achieving those objectives and policies.

Section 35 (2) of the RMA requires the Council to develop a co-ordinated programme to monitor:

- the state of the city's environment;
- the suitability and effectiveness of the District Plan;
- the exercise of resource consents; and
- the exercise of any functions, powers or duties delegated or transferred by the Council to another person or public authority.

The Act [S35 (3), (4) & (5)] also imposes a duty on the Council to gather information, monitor and keep records. These obligations are essential for promoting the sustainable management of the city's natural and physical resources, and ensuring the maintenance and enhancement of a quality environment. This requires the Council to monitor both the state of the city's environment and the performance of the District Plan.

The purpose of such monitoring is to provide a baseline, against which future changes in the quality of the city's environment can be assessed; and to gauge the achievement, and the continued relevance of objectives and policies in the Plan. It is a recognition of the fact that the environment is dynamic and conditions change over time.

It is important to note that District Plan monitoring forms one element of the Council's overall monitoring responsibilities. Monitoring for Annual Plan, Strategic Plan and asset management functions is also undertaken and this may influence funding and development decisions affecting the environment.

1.7.2 The Components of the Monitoring Programme

The monitoring programme will have the following features and components:

The State of the Environment

Monitoring the state of the city's environment is an important starting point for managing resources in a sustainable way. However, time and budget constraints mean that it is not possible to monitor every aspect of the environment. Instead emphasis will be placed on monitoring key resources and resource management issues of the City, using a range of meaningful environmental indicators. This monitoring will provide information on the status of the city's environment, and will assist in assessment of whether objectives and policies in the Plan are being met.

The Performance of the Plan

Specific monitoring procedures are set out in each of the implementation chapters of the Plan. These procedures will provide information to measure the effectiveness of the Plan in achieving its anticipated environmental results — the desired outcomes from implementing the Plan. If the anticipated results are

not being achieved, analysis of the policies, rules and other methods in the Plan will be required (see Section 1.7.5).

Resource Consents and Complaints

The Council is also required to monitor resource consents to ensure compliance with consent conditions and to monitor performance of the Plan. This entails the maintenance of precise records that can easily be accessed. The Council has a number of information systems which are used to track and report on the progress of consent applications. Complaints regarding alleged breaches of the provisions of the Plan or conditions of consent are also monitored by the Council. Information gathered from monitoring resource consents and complaints will provide a primary means of assessing whether policies and methods in the Plan are achieving their stated objectives, and controlling adverse environmental effects.

Delegation of Monitoring Duties and Community Involvement in Monitoring

Where possible, the Council will involve residents and community groups in monitoring aspects of Manukau's environment. Tangata whenua participation is of relevance because of the principle of kaitiakitanga, the exercise of guardianship in Maori culture. The Council recognises that there is a need to work with tangata whenua to ensure that their ancestral resources and taonga are monitored in an appropriate way.

Residents and community groups can play a valuable role in monitoring by informing the Council of pending environmental problems or stresses, and providing both qualitative and quantitative information for the monitoring programme.

1.7.3 Developing the Monitoring Programme

The District Plan is to be fully reviewed at least every 10 years. However, issues and priorities change over time and consequently the monitoring procedures used in the Plan need to be flexible enough to allow modification of their scope and focus. As a result of this only minimum monitoring procedures have been identified in the Plan.

The Council will develop a long-term monitoring strategy by 30 June 1999 which will identify in more detail its monitoring tasks. As part of the Annual Plan, the Council will determine the associated funding requirements on an annual cycle. The level of funding and work priorities will determine the degree of monitoring that takes place.

While monitoring will be carried out on a regular on-going basis, the monitoring frequencies will vary for different environmental indicators. For example, major land use changes may only need to be monitored annually, because changes might only be noticeable over a period of years. Conversely, changes in water quality will need regular sampling to ensure that longer term trends are detected rather than small scale fluctuations.

Monitoring will also be carried out in consultation and co-operation with the Auckland Regional and other agencies. Where suitable information and monitoring data is being collected by other organisations (e.g. Auckland Regional Council, Department of Conservation, Statistics New Zealand); the Council will incorporate this into its monitoring programme.

The Council will regularly review and evaluate its existing environmental monitoring procedures and indicators. It is likely that as understanding of the city's environment grows and as resource management issues affecting the city change, different monitoring procedures and indicators will be developed over time.

1.7.4 Reporting on the Monitoring Programme

A baseline “State of the Environment Report” will be produced by 30 June 1999 and then updated on a regular basis by the Council. This will summarise the information provided by the monitoring programme as well as the outcomes of other aspects of the Council’s investigations. Not all the data collected during monitoring will be presented in this report, although it will be available to those wishing to know more about a particular matter.

The report will provide valuable information to the Council and the community on:

- the current state of key resources;
- the issues affecting the quality and use of those resources;
- the progress of the Plan towards achieving its objectives and policies;
- the degree of compliance with provisions of the Plan; and
- areas where further information, research or investigation may be required.

The Council will also make available to the public information on the administration of the Plan, including information from its monitoring programme, and on issues affecting the city and its environment. This information will serve to encourage increased community awareness of and participation in environmental issues and resource management processes.

As the Council’s information base develops and as monitoring procedures are implemented and become more extensive, greater dissemination of information to the community on resource management issues will occur.

1.7.5 Using Environmental Monitoring Information

If the monitoring undertaken by the Council reveals that:

- the City’s key natural and physical resources are not being sustainably managed; or
- the methods employed in the Plan are not effectively achieving the Objectives and Policies of the Plan; or
- the anticipated results stated in the Plan are not being achieved;

then the Plan’s provisions require reviewing. The Council’s monitoring strategy will provide the feedback loop (**see Figure 1.4**) between the resource management issues, objectives, policies, methods and anticipated environmental results in the District Plan. This allows the Plan to be responsive to information gathered by the monitoring process, and to changing or emerging concerns e.g. changes in resource use practices and community expectations of environmental quality.

Research and analysis would be required to determine whether the key resource management issues have been correctly identified (including any new issues) in the Plan or whether it is the Plan’s objectives and policies or methods which are at fault. Plan Changes would be required in this case.

Alternatively, resource consent and complaint monitoring may indicate that it is implementation of the plan which is deficient. More resources may be required to implement the Plan.

Complaints from the public can also help to identify issues of environmental concern that may require further investigation.

Another possibility is that the monitoring procedures and indicators are themselves deficient and require review or that the anticipated environmental results need to be refined to accommodate changes in resource use practices and community expectations of environmental quality.

In any event, the monitoring process is central to effective and integrated resource management, the evolution of the District Plan and the achievement of the purpose of the Resource Management Act in the City.

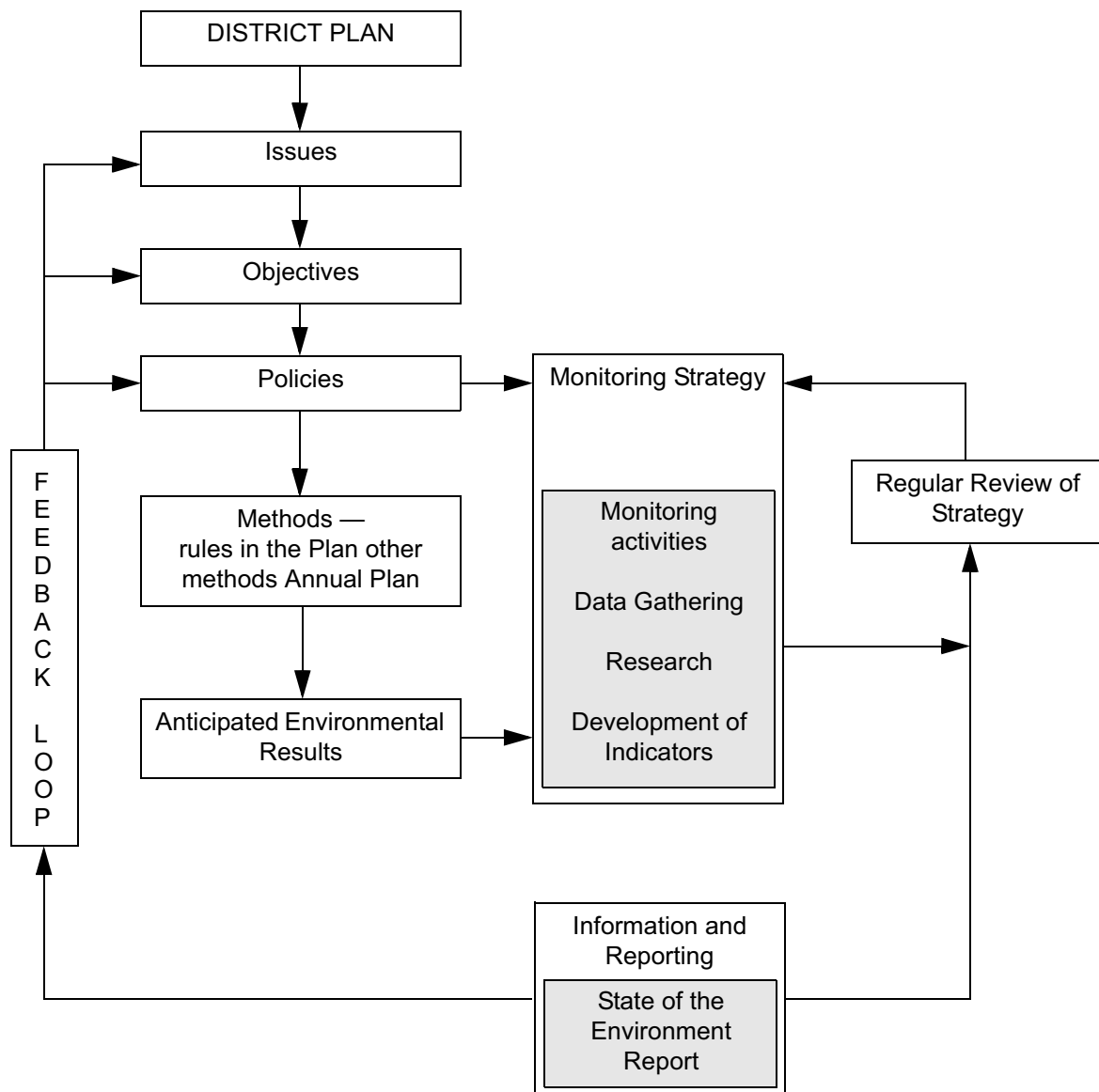


FIGURE 1.4 MONITORING AND REVIEW PROCESS