

Resource & Environmental Management



Drivers for environmental protection?



Political, emotional and commercial?

Environmental Legislation

On a global scale, environmental legislation includes both voluntary and non-voluntary compliance e.g.

Agenda 21 - non-binding, voluntarily implemented action plan of the United Nations with regard to sustainable development.

Stockholm Convention on Persistent Organic Pollutants - international environmental treaty, aims to eliminate or restrict the production and use of persistent organic pollutants.

National Legislation

National environmental legislation is founded on the Resource Management Act (RMA)



Resource Management Act (1991)

► The purpose of the RMA is to promote **sustainable management of natural and physical resources**"

► **"Sustainable management ?"**

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.

How ?

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

What does this actually mean ?

The RMA is used by councils to create statutory documents to carry out this purpose and this effectively means that for the majority of civil engineering projects:

a **resource consent** of some description will be required.

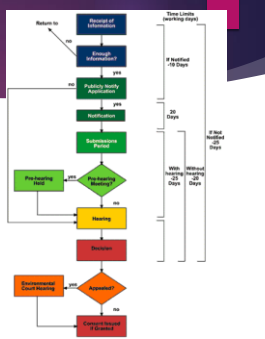
Resource consents

- ▶ a permit to carry out an activity that would otherwise contravene a rule in a city or district plan
- ▶ a permission required for an activity that might affect the environment, and that isn't allowed 'as of right' in the district or regional plan

1. Land-use consent
2. Subdivision consent
3. Coastal permit
4. Water permit
5. Discharge permit

Activities

1. Permitted
2. Controlled
3. Restricted
4. Discretionary
5. Non-complying
6. Prohibited



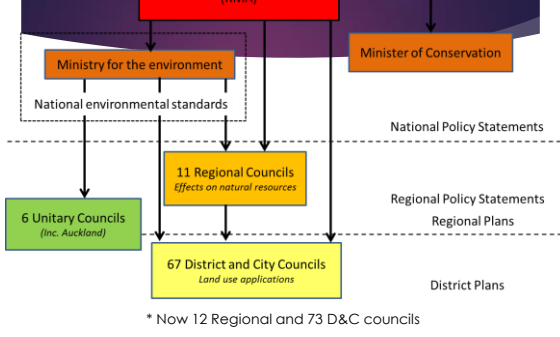
Resource consents diagram from Otago Regional Council

RMA framework

National level. a consistent policy is set which can then be interpreted by the Ministry for the Environment and Councils.

Below this level, decisions that directly impact on local communities are made by councils, which, under the RMA, are called *local authorities*.

Resource Management Act (RMA)



Local Authorities

Local authorities are responsible for implementing the bulk of the RMA, and are divided into two tiers (regional and district/city councils) for this purpose.



Regional Councils (12)

- ▶ the taking, use, damming, and diversion of surface water, groundwater and geothermal water
- ▶ the discharge of contaminants to land, air or water
- ▶ the effects of activities in the coastal marine area (together with the Minister of Conservation)
- ▶ the introduction of plants into water bodies
- ▶ maintaining indigenous biodiversity
- ▶ land-use, such as soil conservation, maintaining & enhancing ecosystems in water bodies, water quality & quantity, & controlling natural hazards & hazardous substances
- ▶ the strategic integration of infrastructure with land-use.

District councils (73)

- ▶ the effects of land-use (including hazardous substances, natural hazards and indigenous biodiversity)
- ▶ noise
- ▶ the effects of activities on the surface of lakes/ rivers.

All councils are responsible for preparing policy statements and plans, issuing resource consents, taking enforcement action, and monitoring the state of the environment and the effect of their own decisions, all within the context of their functions under the RMA.

Unitary Councils

There are 6 Unitary councils which are a combination of city and regional councils.

These include:

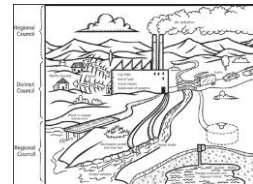
Auckland, Nelson City, Gisborne, Marlborough, Tasman and Chatham Islands



Council Responsibilities

Preparing policy statements and plans, issuing resource consents, taking enforcement action, and monitoring the state of the environment and the effect of their own decisions

All within the context of their functions under the RMA.



Activity Guides & EPA

Activity guides can indicate whether you need a district or a regional plan rule for non-unitary councils, here is a link to an example [⇒](#)

The **EPA** is a governmental body who can make decisions and give advice to council regarding resource consents.



NZEPA (2019-2023)

And working collaboratively

Their Vision : "An environment protected, enhancing our way of life and the economy"

Manaaki taiao - manaaki tāngata Care for the environment – care for the people

The unique relationship of Māori to the environment informs EPA decision making

Wawata: Ka whai mōhio ā Te Mana Rauhi Taiao whakatau i te hononga ake, i te hononga motuhake a Ngāi Māori ki te taiao

- But more specifically:
- Chemicals
 - Climate change
 - Ozone Layer
 - EEZ
 - New Organisms

National Policy Statements (NPS)

By Government

- ▶ New Zealand Coastal Policy Statement - 2010 (includes 1st 20m coastline)
- ▶ NPS Electrical Transmission - 2008
- ▶ NPS Freshwater Management - 2014
- ▶ NPS Renewable Electricity Generation - 2013



National Environmental Standards

Standards for maintaining a clean, healthy environment.

Set by central government and developed by the ministry for the environment for example:

- ▶ Air quality
- ▶ Sources of human drinking water
- ▶ Assessing and managing contaminants in soil to protect human health
- ▶ Plus others inc. development of new standards e.g ecological flows and water levels.



Regional Policy Statements

Strategic Direction

- ▶ May support an app. for an activity
- ▶ RPS may contain information (which may be based on models) which may affect your activity, for example detailed information about where floodplains are located.
- ▶ Key planning instrument because all Regional and District plans must give effect to the RPS.
- ▶ Key sections inc: water quality and quantity, air quality, natural hazards, climate change, contaminated land, hazardous substances, waste, earthworks and land development and transport.



Regional Plans

Plans based on the natural environment which classify activities and include standards, assessment criteria and information requirements. Key provisions include:

- ▶ Water quality (in terms of discharge to land and water, structures and works in streams, rivers and lakes)
- ▶ Air quality (controls discharges to air)
- ▶ Natural hazards,
- ▶ Waste and contaminated land
- ▶ Coastal structures, activities and discharges (coastal plans).



District Plans

Includes, for example, rules on building heights, tree protection and land-use.

Must state objectives for the district, policies to implement the objectives and any rules to implement the objectives

Useful for finding which information must be included with an application for a resource consent and any cross boundary issues.



Protected Trees

Matters of National Importance

- ▶ 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
- ▶ Protection of **outstanding natural features** and landscapes from inappropriate subdivision, use, and development
- ▶ Protection of areas of significant **indigenous vegetation** and significant habitats of **indigenous fauna**



Matters of National Importance

- Maintenance and enhancement of **public access** to and along the coastal marine area, lakes, and rivers
- **Relationship of Maori and their culture** and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga
- Protection of **historic heritage** from inappropriate subdivision, use, and development
- Protection of protected **customary rights**.



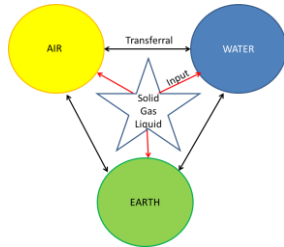
Other Parties

- ▶ **Kaitiaki**
- ▶ Ethic of stewardship
- ▶ Efficient **use and development of natural and physical resources**
- ▶ Efficiency of the end use of **energy**
- ▶ Maintenance and enhancement of **amenity values**
- ▶ Intrinsic values of **ecosystems**
- ▶ Maintenance and enhancement of the **quality of the environment**
- ▶ Any **finite characteristics of natural and physical resources**
- ▶ **Protection of the habitat of trout and salmon:**
- ▶ Effects of **climate change**
- ▶ Benefits to be derived from the use and development of **renewable energy**



Earth, Water and Air

Part 3 of the RMA, lists the duties and restrictions and these can be grouped according to this course as either **Earth, Air or Water**



Earth	Air	Water
Res. - uses and subdivision of land (9, 10, 11)	Discharge of contaminants into the environment (15)	Res. - use of coastal marine areas (12)
Res. - use of coastal marine areas (12)	Res. dumping/incineration of waste/other matter in coastal marine area (15a)	Res. relating to water (14)
Res.- uses of beds of lakes and rivers (13)	Discharge of harmful substances from ships or offshore installations (15b)	Discharge of contaminants into the environment (15)
Discharge of contaminants into the environment (15)	Prohibitions - radioactive waste/matter and other waste in coastal marine area (15c)	Res. dumping/incineration of waste/other matter in coastal marine area (15a)
Res - dumping/incineration of waste/other matter in coastal marine area (15a)	Duty to avoid unreasonable noise (16)	Discharge of harmful substances from ships or offshore installations (15b)
Prohibitions - radioactive waste/matter and other waste in coastal marine area (15c)	Duty to avoid, remedy, or mitigate adverse effects (17)	Prohibitions - radioactive waste/matter and other waste in coastal marine area (15c)
Duty to avoid, remedy, or mitigate adverse effects (17)		Duty to avoid, remedy, or mitigate adverse effects (17)

Engineering Pathway

Any activity may require a resource consent and/or be subject to standards.

1. Determine the type of consent required by asking local council.
2. Determining how a consent may be met (**assessment of environmental effects (AEE)?**).
3. If an application for a consent is rejected, an appeal can be lodged through the **Environment Court** which is an independent body.

Mitigation

- ▶ Technical papers provided by the councils
- ▶ Australian and New Zealand standards
- ▶ Consultancies

COST
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