

Political participation key to successful resource management

Another year, another round of Resource Management Act reform – and it's an election year, which means more arguments from political parties on what needs changing

As a Resource Management Act (RMA) practitioner, I have become somewhat immune to the ongoing reform debate on the legislation.

What I have learned over the years is that the RMA or its equivalent will be around in some shape or form in perpetuity.

There will be continued debate around where the legislation sits on the continuum of enhancing economic growth or providing protection to the environment, but fundamentally the legislation will stay in place.

We need it to do so to maintain a well-functioning society which confers and protects property rights of current and future generations within a sustainable physical and economic environment. To not have such legislation and protections would be suicidal.

What I am most interested in with the RMA is the implementation of the legislation, and more particularly the developing practice of my planning profession and that of the allied professions.

During my career, which started at the very tail end of the Town and Country Planning Act 1953, through the 1977 legislation and subsequently the RMA 1991, I have seen huge changes in the practice and process of planning.

Foremost has been the huge increase in the numbers of practitioners, and their influence on policy and development processes.

The number of planning professionals has more than doubled from when I was president of the New Zealand Planning Institute in the mid-1990s, and has increased much more significantly since I first gained my qualifications in the seventies. I am proud of that fact.

Property policy

Some may view this growth as a negative, but for me it clearly demonstrates the growing public interest in how peoples' property rights and broader property interests in the physical environment are translated into policy and subsequently into practice. The plan-



ning profession's role (and related professions) has been to provide a conduit to this expression.

However, one area of concern, which I have held for some time, has been a declining role of elected officials in setting policy.

As the interpretation of the RMA has become more complex through the development of the law, exacerbated by the regular changes to the legislation, the role of local politicians in setting policy has diminished hugely.

I don't believe this is healthy, but admit to being in a minority in expressing this view. My concern is the longer term negative impact on our local democracy, where there is a rightful expectation by citizens that policy should be formulated by the people they elect, rather than professionals.

Citizens can judge the product

“We have generally good laws, but in the case of the RMA too much reform has likely led to citizens becoming more and more reliant on professionals to participate”

of policy every three years and cast judgement. It is much more difficult to express this view if decision makers are not accountable to the ballot box.

In recent times, legislative interventions have seen the

establishment of the central government-appointed Hearings Panels for both Auckland and the Christchurch Unitary/District Plans.

Both processes have led to highly credible outcomes, but my point is that up until recent times this policy setting was determined by elected local politicians, not appointed persons predominantly from the professions.

We likewise see appointed commissioners deliberating on District Plan policy processes throughout the rest of New Zealand. And these appointments are made by local body politicians!

I need to note that I am not opposed to commissioners hearing resource consents applications. This practice has worked well.

Such change has been driven, in part by the need for greater process efficiency, for which I

have sympathy. In the past, the processes to get to the courts has been too slow.

This is not the case with the Environment Court today, although arguably the cost being represented at the court is prohibitively expensive for most people.

Clearer channels

I also see a need to review the number of approval channels for projects. The current situation is now littered with options.

While I understand why the government established Boards of Inquiry, Special Housing Areas and Independent Panels for Auckland and Christchurch, all as an alternative to processes leading to the Environment Court, I now believe it is time to rethink. In particular we need to look at 're-joining' some of these processes back under the Environment Court umbrella.

Certainly, I hear and see negative reaction in Auckland to approvals granted under the SHA legislation, proposals which would have struggled to gain approval under normal RMA processes.

I am privy to an approval where consent was granted to a housing development which completely reverses the flow of storm water

from one river catchment to another, with significant impacts on neighbours who had little or no rights to object. I have little doubt that such issues would have been resolved under normal RMA processes.

So back to the big picture. We are fortunate in our country to have a relatively good economy, functioning institutions, and governance which looks to protect our rights as citizens to participate in a democratic society.

We have generally good laws, but in the case of the RMA too much reform has likely led to citizens becoming more and more reliant on professionals like myself to participate.

The distancing of elected officials from policy decision-making will only further exacerbate this process. I do not agree that this is the right direction. Now is the time to reassess.

Leigh Auton is a Local Government Commissioner and a Director of Auton & Associates with 35 years' local government experience, a chairman/director/trustee on several boards and provides consulting advice to public and private sector companies

Depth of tourism infrastructure needs revealed



The full extent of the infrastructure investment needed so communities can keep up with unprecedented tourism growth has been highlighted through a recent survey of local government.

The tourism boom New Zealand is currently experiencing is putting pressure on infrastructure used by both international visitors and local communities.

The March 2017 research involving 47 councils revealed there are over 680 mixed-use infrastructure projects with a value of around \$1.38 billion that are in development in one form or another.

Councils across the country were asked to identify infrastructure projects needed to support sustainable tourism growth.

Local Government New Zealand President Lawrence Yule says it is well beyond the resources of local communities to fund these projects, which include the development and ongoing operation of toilets, wastewater systems, car parks, access roads and wifi, and that a new funding mechanism is needed.

"The arguments for a new, sustainable way of funding infrastructure for tourism are undeniable," Yule maintains.

"We just need to get on with it now and these figures provided by just over half of our councils further illustrate the scale at which we need to act.

He adds that there is "much that could be done" to protect and enhance the visitor experience, and provide some relief for our communities, many of which have a small ratepayer base.

"If we don't act and with the right level of investment, we will be in no position to cope with the forecast growth of tourism – 4.5 million annual visitors by 2025. 'Just in time' infrastructure can mean 'just too late'."

There are calls for relief from many parts of New Zealand. Auckland mayor Phil Goff has proposed an accommodation levy for his city, while Queenstown Lakes mayor Jim Boulton sees the need for a visitor levy for the district.

Yule says it is "understood" the government is looking at ways to address the need. "We are confident there will be a solution, we just need to ensure it is the right one," he assures.

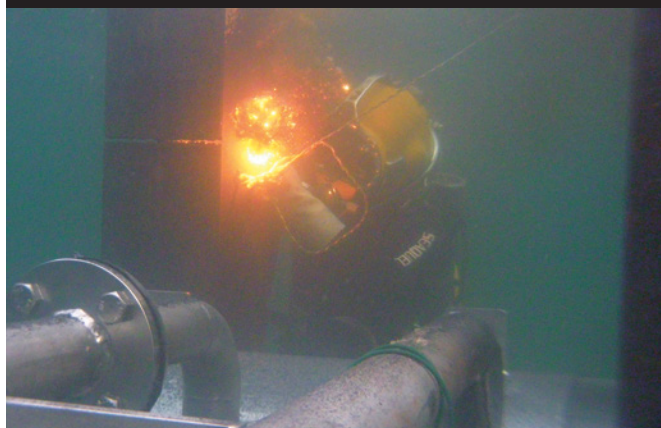
Accommodation and border levies contributing to a co-investment fund between central and local government and the tourism industry is a preferred model.

"Co-funding, with contributions from central government, councils and the industry, in a way that allows for maintenance and operational costs, is required," Yule insists. "Whatever option is settled on it needs to be well supported by all parties if we are to see a durable solution."

GST from international visitors alone rose to \$1.5 billion in the year to March 2016, up from \$950 million in the 2015 year.



- Underwater Cutting and Welding
- Subsea Engineering
- Potable / Wastewater Diving
- Pipeline Construction and Assembly
- Concrete Cutting/ Drilling / Coring & Pouring.
- Corrosion Prevention Approved Applicators
- Video, CCTV & Photo Inspections
- Confined Space Entry, Planning and Work



Total Inwater Construction Solutions

ph: 09 377 2906 • email: info@diveco.co.nz

web: www.diveco.co.nz

DiveCo Ltd – a company you can confidently partner with to get the job done & done safely