

9 CROSS BOUNDARY PROCESSES

9.1 INTRODUCTION

Section 67(1)(h) of the RMA states:

A regional plan may make provision for such of the matters set out in Part I of the Second Schedule as are appropriate to the circumstances of the region, and shall state-

(h) The processes to be used to deal with issues which cross local authority boundaries, and issues between territorial authorities and between regions;

There are seven territorial authorities within the Auckland Region managing the Region's air, land and water resources: Auckland City, North Shore City, Waitakere City, Manukau City, Rodney District, Franklin District, and Papakura District. There are two regional councils adjoining the Auckland Region: Waikato Regional Council (Environment Waikato) and Northland Regional Council. Significant 'cross-boundary' issues can arise in the management of these resources due to the responsibilities of the ARC and the other local authorities.

Under the RMA, the Mean High Water Springs boundary separates the primary management responsibilities for the land and water in the coastal environment between regional councils and territorial authorities. Seaward of Mean High Water Springs, the coastal marine area of the Auckland Region, is controlled and managed by the ARC in the Regional Plan: Coastal in conjunction with the Minister of Conservation.

9.2 INTEGRATED MANAGEMENT

The RMA includes various provisions to address cross boundary issues and encourage the integrated management of the natural and physical resources of the Auckland region. The Auckland Regional Policy Statement states policies for the management of the region's air, land and water resources. District or regional plans are required to be not inconsistent with this document. There is provision within the RMA for the integration of administrative functions through joint and combined hearings with territorial authorities or adjacent regional councils when consent applications or the possible effects cross administrative boundaries.

Various other agencies, including the Ministry for the Environment, Ministry of Agriculture and Forestry, Department of Conservation and the New Zealand Historic Places Trust also have statutory responsibilities under other legislation for the management of natural and physical resources in the Auckland Region. Liaison between all agencies involved in the management of the region's air, land and freshwater resources is an important component of integrated management.

9.3 SIGNIFICANT ISSUES WHICH CROSS BOUNDARIES WITH THE AUCKLAND REGION

The effects of some activities undertaken within a region can ‘migrate’ into other regions. Examples of such activities and the effects they can have in the Auckland Region include: competition for water from the allocation of surface and ground waterbodies, e.g. the Mangatangi, Mangatawhiri and Tuatenui Streams, and the Pukekohe Volcanic and Franklin Kaawa Aquifers which cross the boundary between the Auckland and Waikato Regions; the discharge of contaminants from the application of fertilisers; the discharge of contaminants into air from the application of agrichemicals; and the discharge of sediment from soil cultivation. Accordingly, the sustainable management of the environment needs to consider an inter-regional perspective.

9.4 SIGNIFICANT ISSUES WHICH CROSS LOCAL AUTHORITY BOUNDARIES WITHIN THE AUCKLAND REGION

Many activities that take place on land can have an effect on the Region’s air, land and water resources. Section 30 (1)(c) of the RMA gives regional councils responsibility for controlling the use of land for a number of purposes, including soil conservation, the maintenance and enhancement of water quality, the maintenance of water quantity, and the avoidance or mitigation of natural hazards. Section 31(b) of the RMA gives territorial authorities responsibility for controlling the effects of the use of land. Therefore, both TAs and regional councils have responsibilities for land use relating to soil and water.

The effects of an activity undertaken within the coastal marine area, e.g. discharge of contaminants, or erection of structures, are also unconstrained by jurisdictional boundaries and have the potential to cause adverse effects on natural character and features, landscape, ecosystems, and public access outside the coastal marine area. Conversely, activities undertaken outside the coastal marine area but within the coastal environment e.g., subdivision and development, can have a significant effect on the coastal marine area by increasing sediment run-off or increasing hazard risk.

An intra-regional perspective is considered necessary to achieve the sustainable management of the environment.

9.5 PROCESS POLICIES TO ADDRESS CROSS BOUNDARY ISSUES

To promote the integrated management and use of the air, land and freshwater resources of the Auckland Region across administrative and jurisdictional boundaries, the following processes will be used:

- 9.5.1** When considering consent applications, regard shall be had to the effects of the activity on the provisions of any relevant district plan, regional plan, or other council-adopted planning document. A copy of any consent application which may have more than minor adverse effects across a regional boundary shall be referred to that regional council.

- 9.5.2** Liaison shall occur with adjoining regional councils and territorial authorities to promote integrated management and ensure as far as practicable that a consistent approach is maintained between resource management issues which cross territorial authority and regional council responsibilities.
- 9.5.3** Joint regional plans may be prepared by the relevant regional councils where this approach is the most efficient and effective means of ensuring a consistent management approach for resource management issues which cross regional council boundaries.
- 9.5.4** Liaison shall occur with other statutory bodies on legislative issues that affect the management of air, land and water resources in the Auckland Region.