

A Quick Guide to the Resource Management Act for Tourism Operators

What is the Resource Management Act?

The Resource Management Act (most commonly referred to as the RMA) is the primary piece of legislation setting out how New Zealand's environment is managed. The main principle underpinning the RMA is "the sustainable management of the country's resources" with the Act encouraging individuals, businesses and communities to plan for the future of the environment.

How is the RMA administered?

Local authorities and regional councils have the biggest job to do under the RMA. For the 73 territorial local authorities in New Zealand, the RMA requires them to assess how the use of land impacts on the environment. For example, new subdivisions or buildings, clearing of native bush or changes to historic buildings can all have impacts on people living in those areas. Under the RMA, the 12 regional councils are responsible for the sustainable management of the rivers, air, coast and soil.

How do you work with the RMA?

The plans put out by local authorities and regional councils are the best way for the public to work with the RMA. Regional plans put out by the regional councils focus on particular parts of the environment, like the coast, air, rivers and soil. The district plans put out by territorial local authorities are mainly concerned with the use and development of land. By looking at these plans you can find out if you need to get resource consent for the activity you are planning.

How can you have your say on a regional or district plan?

You can make a submission on a proposed plan or plan change put out by a council. Normally this is in written form but in most cases you also have the opportunity to make an oral submission before a public hearing of council.

What is resource consent?

If you want to do something that your district plan doesn't allow you may need to get resource consent. If this is the case, you will need to check with your councils whether resource consent is needed. The different types of resource consent are:

Type of consent/permit	Most common example
Land –use consent	To construct or convert a building in a residential area.
Subdivision consent	To divide a property into two or more new titles.
Coastal permit	To build a wharf on the coast below the mean high water mark or discharge storm water.
Water permit	To take water from a stream for an irrigation scheme or to build a dam in the bed of a river.
Discharge permit	To discharge storm-water from a service station through a pipe into a lake.

Why do you hear people talk so much about the RMA?

Whether in your businesses or at home, most of us will at some point be affected by the RMA. If you're making renovations or additions to your house, you'll almost certainly come in contact with RMA and you'll need to check with your council if you need resource consent. In business, if you want to expand a site or use the land for a different purpose, again you will need to check with your council about whether consent is needed. Conversely, the RMA is cited by people to oppose developments that they may see as being detrimental to the environment. The most common complaint people have about the RMA is the time it takes for agencies to make decisions on resource consents.

How does the RMA affect tourism operators?

The RMA has a range of impacts on tourism operators. There are those operators who see the RMA as a constraint to business development because the consenting process is costly and time consuming. There are also operators who believe the RMA is a sound piece of legislation because it protects the environment and stops development that threatens New Zealand's pristine image.

What is the new National-led government doing on the RMA?

The new National-led government wants to reform the RMA to reduce delays, uncertainties and costs associated with the current Act. It has promised a two phase approach to the RMA reforms. The first phase will be mostly around improving the consent process by reducing the number of consent categories, doing away with 'vexatious' and 'frivolous' objections, making it easier for Councils to update plans, scrapping the Ministerial veto over coastal consents and clarifying clauses relating to the Treaty of Waitangi.

When will these changes happen?

To achieve the first phase of RMA reforms, the National-led government is set to introduce the RMA Amendment Bill into Parliament before the end of February. After a first reading, the Bill is likely to go to a Select Committee with public submissions called for some time in March. The government is hoping to pass the Bill into law within six months.

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