

## Formal feedback from the Waiheke Local Board on the reform of the resource management system



The Waiheke Local Board is a strong advocate for protection of the environment and for an inclusive approach to resource management. This is reflected in its Local Board Plan 2017-2020 which has as a key outcome:

*“Inclusive planning and place-making through fostering a regulatory environment which protects and enhances the unique character of Waiheke’s people and environment.”<sup>1</sup>*

### Essentially Waiheke

Adopted in 2000, and refreshed in 2016, the board recognises Essentially Waiheke as the voice of the community on matters of future planning and development. Its values and principles are considered central to the Hauraki Gulf Islands District Plan and subsequent planning documents. The vision for the Essentially Waiheke Refresh 2016 is included below:

*Waiheke, a beautiful island that embraces its essential character through:*

- 1. Restoring, protecting and enhancing what makes Waiheke special: its character as a place and as a Community*
- 2. Keeping the beauty, integrating the precious natural environment with the island’s village and rural features.*
- 3. Being home to a small, active community that is thriving, active, opinionated, caring, creative, diverse, environmentally-aware, and where resources are accessed equitably.*
- 4. Creating social, cultural and economic opportunities that give the community hope and prosperity.*
- 5. Becoming a sustainable tourist destination, that attracts people for its natural environment and the symbiotic, relaxed island pace of life.<sup>2</sup>*

The Waiheke Local Board believes that changes to the resource management system should align in terms of these values. The aspirations and concerns of the Waiheke community about the environment are relevant to this document and can be accessed on page 13 of the document.<sup>2</sup>

### Environmental and Resource Management Issues of concern for the Waiheke Local Board Area

There are a large number of environmental and resource management issues facing the islands in the Waiheke Local Board area including but not limited to:

- The degradation of the marine environment including the ongoing depletion of marine biodiversity and increasing marine pollution.

1. Auckland Council. (2017). Waiheke Local Board Plan 2017-2020 (page 17).

2. Auckland Council. (2016). Essentially Waiheke Refresh 2016 (page 13) retrieved from

<https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/local-boards/all-local-boards/waiheke-local-board/Documents/essentially-waiheke-refresh.pdf>

- Land biodiversity is also under threat due to certain types of development. For example, coastal developments have caused the degradation of shore bird and penguin nesting sites. The inadvertent introduction of predators and diseases has had major impacts on forest flora and native species.
- The long-term effects of the removal of vegetation, protection of mature trees and development on the terrestrial environment including the resulting erosion, pest incursion, sedimentation, loss of wetlands, stormwater and wastewater damage.
- An increasingly disenfranchised community where residents, and elected members alike, feel they have minimal say over building and infrastructure developments on the island, due to political frameworks which are exacerbated due to planning interpretations of the Resource Management Act.
- Frustration from those attempting to build on the islands with, delays, bureaucracy ever-increasing costs, as well as centralisation of Auckland Council planning and building consent processes.
- Climate change is already impacting the islands with the imminent inundation of low-lying areas, the collapse of natural coastal structures and the impacts of destructive and adverse weather events on infrastructure.

Other areas of concern linked to the broader resource management system include:

- An inequitable ferry service, which is more expensive than trips of similar distance in Auckland.
- A housing crisis where Waiheke residents and other Aucklanders struggle to afford rising rents and house prices. The board recognises that this is not a product of the resource management system alone but also of adverse social and political factors.

The board makes the following high-level comments concerning changes that need to be made to the country's resource management system:

1. New Zealand needs an holistic approach to resource management which recognises the interrelationships between all facets of the natural environment encompassing the land, sea and the air and which involves the changing climate, rising sea levels, the electromagnetic spectrum and all other relevant dimensions. In Aotearoa New Zealand a Te Ao Māori perspective must be used which recognises the interconnectedness of all living and non-living things, and which seeks to understand the total system, not just parts of it.<sup>3</sup>
2. A new resource management act is required to not only manage land-use but also to rigorously enshrine environmental protection measures. Over the time that the Resource Management Act 1991 has been in force, this central purpose has been out-prioritised by other criteria in the act, and this must be rectified. Part Two of the act should be rewritten to recognise the pre-eminence of environmental bottom lines, as recommended by the Environmental Defense Society in its report on reform of the resource management system.<sup>4</sup>

3 AgResearch (2019) Our Land and Water. Retrieved from <https://ourlandandwater.nz/about-us/te-ao-maori>

4 Environmental Defense Society (2019) Synthesis Report 2019. Retrieved from [https://www.eds.org.nz/assets/Publications/RMLR%20Model%20for%20the%20Future\\_WEB.pdf?k=fed3e5b176](https://www.eds.org.nz/assets/Publications/RMLR%20Model%20for%20the%20Future_WEB.pdf?k=fed3e5b176)

3. To gain sustained environmental enhancements, the country needs more than just an act which manages and controls the impacts of development. It needs to be aligned with a plan for environmental restoration which is targeted, measurable, and which holds those delivering the plan accountable. The board endorses the Environment Defense Society's call for a National Environmental Plan which would be a single, integrated and coherent piece of national direction that would address all matters of national importance and the relationships between them (page 1)<sup>4</sup>.
4. A resource management act cannot deal effectively with the vast issues affecting the marine environment and new statutes are required to deal with restoration of the seas.
5. The community perceives that damaging development continues to occur despite council policies, plans and national legislation. The reform needs to result in a greater ability for communities to influence consent decisions in favour of environmental protection. The current "effects-based" act seems to put greater emphasis on allowing applicants to mitigate non-complying activities, than prohibiting those which could have damaging long-term outcomes. This needs to change. A new act must develop clearer escalating definitions of environmental effects and the extent to which they impact on the environment.
6. The elected members have a strong view that multitudes of "no-more than minor effects" have caused major negative environmental impacts and have been permissive by nature. A new act must develop new strategies for protecting whole catchments, over the longer term, from potentially harmful developments.
7. In areas where development has been traditionally allowed, and generally accepted, consenting processes need to be cheaper, easier and quicker. The National Policy Statement on Urban Development<sup>5</sup> is producing planning standards and district plan templates which will be used to make planning processes faster, more universal and user-friendly. Local authorities need to align with these new processes for the benefit of their communities.
8. The government needs to recognise and enable new housing models to emerge, or be supported actively, through the terms of a new Resource Management Act. There needs to be a national approach to enabling affordable housing initiatives which is actively empowered through legislation.
9. We need a significant change to the country's approach to waste management which recognises the full cost of waste and its removal. A new resource management system needs to control actions which grow the country's waste pile rather than merely mitigating the impacts of accumulating waste.
10. The current system has become a litigious one, with many consent approvals fought through the courts at great expense to applicants, councils and communities who want to oppose potentially damaging developments. A reformed resource management system should enable outcomes decided by agreed environmentally-driven policies rather than through drawn-out court battles.
11. The movement of earth from site to landfill should be minimised due to the shortage of clean fill sites and their effects on the environment. Planning protocols should promote retention of fill on site, within existing contours and without extensive cut and fill.

12. In keeping with Essentially Waiheke, the board contends that character is part of the built environment and that there needs to be a greater weighting given to community character as an environmental attribute.
13. The awareness of the value of trees in the landscape is critical. Tree protections are outdated and fines an encouragement to fell existing mature and developing trees.
14. A new resource management act might be more prescriptive on the expectations of local authorities as to the level of monitoring required to assure resource management compliance e.g. a higher level of compliance is required for the protection of trees and vegetation on road reserves and development sites.