

## 27 Local Authority Cross Boundary Issues

### 27.1 Significant Issues

The consistent approach to, and management of:

- Infrastructure that crosses a territorial authority boundary;
- Significant natural features and natural resources that cross or border a territorial authority boundary;
- Activities which may have adverse effects that cross a territorial authority boundary;
- Activities that establish on or near jurisdictional boundaries that are sensitive to the surrounding environment;
- Resource consent applications that straddle the Coastal Marine Area boundary;
- Consultation with tangata whenua and iwi authorities.

### 27.2 Overview

The Whangarei District has common boundaries with the Kaipara District and the Far North District, and it is part of the Northland Regional Council's jurisdiction. Each District Council has responsibility for administration only within its own legal boundaries, but there are issues that cross these boundaries. To achieve integrated resource management, these issues need to be examined, and processes arranged between the local authorities to deal with them.

Cross boundary issues commonly arise in instances where an activity or development results in environmental effects that cross local authority boundaries, when activities or development require the use of natural and physical resources that cross local authority boundaries, or when an activity establishes on or near a local authority boundary. The provision of infrastructure that crosses local authority boundaries is one such instance where an integrated approach is required by neighbouring authorities.

Examples include the degree of consistency of the resource management approach by authorities in dealing with the effects of activities which straddle territorial boundaries.

Cross boundary effects also occur when the effects of activities impact on components of the environment under the jurisdiction of another authority. For example, while the control of subdivision is a land use activity controlled by the District Council, effects of increased run off affect the water quality of rivers and streams, which are managed by the Regional Council.

Of specific concern is the relationship between Regional Councils and territorial authorities, as to their respective roles under the Resource Management Act 1991. There are a number of cross boundary issues that arise in this regard. For example, land use activities administered by territorial authorities often result in discharges to air or water which are controlled by regional authorities. Integrated management of these activities requires coordination between the relevant authorities.

Many planning documents deal with cross boundary issues and have cross boundary implications. National and regional planning documents, such as the New Zealand Coastal Policy Statement, regional policy statements and regional plans, set the frameworks for integrated resource management, and District plans must not be inconsistent with them. These documents help to resolve cross boundary issues as well as influencing the objectives and policies of the neighbouring territorial authorities.

## 27.3 Objectives

### 27.3.1

The integrated management of natural and physical resources across local authority boundaries.

*Explanation and Reasons: Resource management addresses numerous issues, which do not always fall within the legally defined territorial authority boundaries. An integrated approach on and across these boundaries, is the key to achieving the sustainable management of the natural and physical resources of each District.*

## 27.4 Policies

### 27.4.1 Regional and District Councils

To develop appropriate processes and protocols with which adjacent authorities and the Northland Regional Council may deal with cross boundary issues, with particular regard to the clarification of roles between Regional and District Councils. Such processes include:

- Combined approaches to resource consent processing through joint hearing procedures;
- Notification to other local authorities on applications with effects that may cross media and/or jurisdictional boundaries.
- Regular liaison at Council officer level with other local authorities on resource management issues.

*Explanation and Reasons: The Resource Management Act 1991 requires the Plan to state the processes used to deal with issues or effects which cross the jurisdictional boundaries of the Council. Many resource management issues do not fall solely within the boundaries of one District Council. Therefore it is important that processes continue to develop between District and Regional Councils so that cross boundary issues can be dealt with efficiently.*

### 27.4.2 Local Authority Boundaries

To develop processes for dealing with effects from subdivision, use or development that cross local authority boundaries, to achieve integrated resource management.

*Explanation and Reasons: To achieve integrated resource management and acceptable environmental outcomes across local authority boundaries, cross boundary issues need to be dealt with in a coordinated manner.*

### 27.4.3 Tangata Whenua

To consult with tangata whenua concerning cross boundary issues, and to provide for the consideration of iwi/hapu issues where these cross local authority boundaries.

*Explanation and Reasons: There are iwi and hapu whose ancestral lands straddle local authority boundaries. Environmental concerns of some iwi and hapu will likewise straddle local authority boundaries. These concerns, as expressed by iwi/hapu, need to be considered by the relevant authorities, to ensure consistency of approaches to tangata whenua concerns across local authority boundaries.*

## 27.5 Methods

### 27.5.1 Regulatory Methods

- Hold joint hearings of resource consents under section 102 of the Resource Management Act 1991, when appropriate, to address cross boundary effects of development (Policy 27.4.1).

### 27.5.2 Other Plans and Legislation

- The New Zealand Coastal Policy Statement (Policy 27.4.1 and 27.4.2).
- The Far North and Kaipara District Plans (Policy 27.4.1 and 27.4.2).
- The Regional Policy Statement for Northland and Northland Regional Plans (Policy 27.4.1 and 27.4.2).
- Hapu Environmental Management Plan (Policy 27.4.3).

### 27.5.3 Information, Education and Advocacy

- Notification of local authorities of applications with effects that cross jurisdictional boundaries (Policy 27.4.2).
- Liaison with the Northland Regional Council (Policy 27.4.1).
- Liaison with adjacent territorial authorities (Policy 27.4.2).
- Liaison with other organisations involved in resource management, for example: Transit New Zealand, The New Zealand Historic Places Trust, Transpower, Department of Conservation, Ministry of Agriculture and Forestry, Ministry of Fisheries (Policy 27.4.2).
- Liaison with iwi authorities and tangata whenua (Policy 27.4.3).
- Submissions on other local authority policy statements, plans and resource consents (Policies 27.4.1 and 27.4.2).

## 27.6 Anticipated Environmental Results

The following results are expected to be achieved by the foregoing Objectives, Policies and Methods. The means of monitoring whether the Plan achieves the expected outcomes are set out in the Whangarei District Council Monitoring Strategy.

The integrated management of natural and physical resources across local authority boundaries, particularly in regard to:

- Infrastructure that crosses a local authority boundary;
- Significant natural features and natural resources that cross a local authority boundary;
- Activities which may have adverse effects that cross a local authority boundary;
- Iwi and hapu interests that cross a local authority boundary; and
- The coast.