



Planning Under
Cooperative Mandates

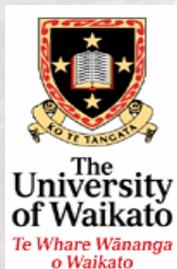
A FRST-funded Research Program
on the Quality of Environmental
and Community Planning and
Governance in New Zealand

THE LEGEND OF THE RMA A TRILOGY

AS TOLD BY

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The International
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*Te Wānanga o ngā Rere
Kētanga-a-Taiao*

The Legend of the RMA

A Trilogy

told by

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The Story Line

I was thinking on my way down here to Middle Earth that there are many parallels between the *Lord of the Rings* and New Zealand's environmental reforms. In the first film the unsuspecting Hobbits (let's cast local government in this role) were assigned a great mission. For the sake of all the people and creatures of the land, they had to take the Ring (aka the RMA) to Mordor (in our case, a mythical land where the environment and people exist in a state of equilibrium).

Then the second film detailed the Hobbits' journey through the untravelled lands. It set them against dark forces (who for the sake of this story will be played by short-term private interests) and made the schizophrenic Gollum/Smeagol their travelling companion (who else but central government to play this role?). We left them having fought at Helm's Deep, and setting out for their destination – Mordor.

The third film should reveal to us whether or not the mission is successful -- if the ambitious goal can be achieved. For us, this goal has gotten much harder for not only do we seek a land where the environment and people exist in a state of happy equilibrium, but also one where its communities live forever in a state of social, economic and cultural well-being.

The parallels between the *Lord of the Rings* (LOTR) and the *Resource Management Act* (RMA) are perhaps not all that surprising to those of you who

¹ The theme for this paper was provided by Maxine Day, PUCM Research Officer, IGCI, who also prepared a draft manuscript.

remember the 1960's and use of the LOTR by environmentalists in the early days of the environmental movement. In the challenge of the trees – Orcs versus Ents- is presented the idea of people versus nature. Yet, recent release of Tolkien's fantasy trilogy serves as a timely reminder that the conflict between private and public interests in the environment has not gone away.

In this presentation I'd like to paint this conflict in light of the RMA, and go on to look at the repercussions of this through not only the plans that were prepared under this controversial legislation, but also their implementation and resulting environmental outcomes. Most importantly, I'd like to highlight some strategies for lifting the expectations of environmental outcomes achieved under the RMA through improving the quality of planning and governance under this legislation.

These strategies come from findings of the FRST-funded research programme called Planning Under Cooperative Mandates (PUCM) (Figure 1). This programme is being led by The International Global Change Institute (IGCI) at the University of Waikato, in collaboration with three other Universities (in New Zealand and the United States) and three planning consultancies.²

As this programme has been running since 1995, some of you may have heard about some of the findings, particularly with regard to its first phase, which evaluated plan quality and organisational factors that influence the preparation of plans. I won't go into a great amount of detail about this first phase, but will use some results, as well as findings from the second phase of research on the quality of district plan implementation, to draw some conclusions about the elements needed to achieve quality environmental outcomes.

Following the theme of the LTOR I've broken this presentation into three parts: The first will set the scene for environmental reform and the consequences of this on early planning efforts. The second part will follow the plans on their perilous journey to implementation. The third and final part will speculate on whether RMA plans will reach their destination – a sustained quality environment.

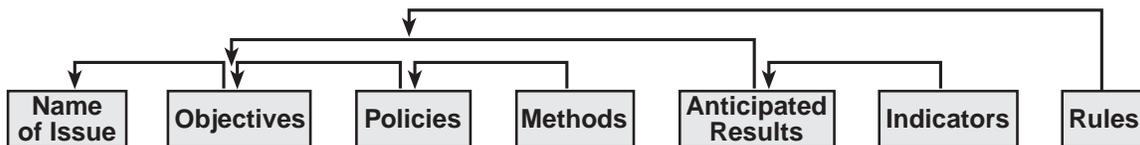
² The PUCM team for Phases 3 and 4 is comprised of: the universities of Waikato (IGCI), North Carolina (Department of City and Regional Planning), Auckland (Department of Planning), Lincoln (Environment, Society and Design Division); and the consultancies of Planning Consultants (Auckland), Lawrence, Cross and Chapman (Thames), and KSCM Solutions Ltd (Opotiki). The original team was much smaller, including Waikato, Massey, North Carolina, and Planning Consultants Ltd.

Part 1

In The Beginning

So let us go back and set the scene for the first film. The forces of good were divided. Prior to the RMA, there were over 50 statutes and regulations related to resource and environmental management administered through hundreds of agencies – central, regional, local, and ad hoc. Perhaps not surprisingly, confusion, separatism, and small fiefdoms prevailed. Meanwhile, the dark forces were gathering momentum – industrialisation, population, and resource consumption were increasing - which when combined, threatened the fragile equilibrium of the planet. The environment of the peaceful Hobbits (in their low impact, earth roofed houses) was under threat. Life was about to change for the Hobbits. Little did they know that their good hearts would be burdened with a great responsibility.

Enter the RMA – that ambitious piece of legislation which passed major responsibility for managing New Zealand’s environment from central government to a newly reformed local government, but under the guidance of the newly created Ministry for the Environment and Department of Conservation. Each council’s mission was to ward off those adverse effects from developing property rights that threatened the long-term viability of New Zealand’s unique environment.



Cascade of elements, including feedback, required in plan-making under the RMA

Under this devolved and cooperative system of governance the details of exactly how regional policy statements, and regional and district plans would do this was left to each council. From the outset, the Government knew that there would be some councils that would do very well, while others would lag behind. So that laggards would not too

badly foul their own nests, the cooperative intergovernmental mandate that is the RMA assumed that the Government would help to build the capacity of councils so as to ensure that they could adequately comply.

In reality, notified regional policy statements and district plans that we evaluated ranged greatly in quality – although none did very well. In fact, more than half did not reach a score of 50 percent, and the best policies and plans gained only a B minus to B pass grade. Each council struggled with the legislation, and even very small councils spent well over a million dollars preparing the plan to the point of public notification – with the costly hearings process yet to come. While some councils – particularly regional councils - banded together, the majority struck out alone with a “we can do it” attitude. Some chose to embrace the effects-based philosophy of the RMA wholeheartedly (and in so doing encountered substantial community resistance to their innovative plans), while others dressed their old activities-based *Town and Country Planning Act* (TCPA) schemes in ‘RMA drag’.

Up and down the country, councils wrestled with plan-making under this new legislation. Internal conflict within the council was as common as external conflict with disgruntled rate-payers and interest groups. The resulting plans were often a mish-mash of compromises, and flawed content.

Through extensive analysis of regional policy statements and district plans, and the process by which they were produced, we found that there were some particular elements of plan-making that suffered in the first generation of plans under the RMA.³

I’ll briefly touch on just five of these elements, but if people have more interest please look on the PUCM website (www.waikato.ac.nz/igci/pucm) (Figure 1).

1. The fact-base upon which plans were constructed was often poor – particularly in the early stages of plan preparation, when researching the facts around key environmental issues was most needed. Later, the lack of substantive evidence left planners and councillors with little ammunition to fight off attacks on the rules and standards in plans.

³ A new Plan Quality Method had to be developed by the PUCM team so that it could consistently and rigorously evaluate the plans. This method is contained within a Guideline (in press Oct., 2003) for use by plan-makers when monitoring the effectiveness of their plans and preparing the second generation of plans. Due for release late 2003.

2. Within plans, the internal consistency between objectives, policies, methods and anticipated environmental results was not very strong (Figure 2). This was often due to insufficient timeframes for checking that these required elements in the plan lined up. It was also a result of compromises on the rules when pressure was applied during the notification process.
3. Provisions for monitoring either the plan or the state of the environment were rarely included in plans – largely because their importance was not recognised at the time and/or councillors were more concerned with getting the plan notified as soon as possible than ensuring it was properly completed.
4. Unsurprisingly, most plan-makers struggled to interpret key provisions in the mandate, particularly sections to do with the purpose and principles of the RMA – sections 5 to 8, which remain unclear in spite of the Act being amended almost every year throughout most of the 1990s.
5. We found a disconnection between regional councils and their respective district councils. The cooperative partnership envisaged for them had yet to develop and mature. In consequence, regional councils were not effectively helping to build capacity in their district councils, and their policies and plans had little influence on the quality of district plans.

While these findings may not be surprising to those who work with district plans, the question remains, *why* were such things done so poorly by most councils? After all, planners had for many years been managing development in accordance with the TPCA.

So, what had changed? Well, many things, such as moving from activities-based planning under the TCPA to effects-based planning under the RMA. But perhaps the most significant change was to the system of governance.

‘Governance’ is an often-used, but rarely defined concept. While there is no hard and fast definition, governance generally refers to the systems, relationships, and arrangements between central government, local government, and citizens that enable the pursuit of public interests.

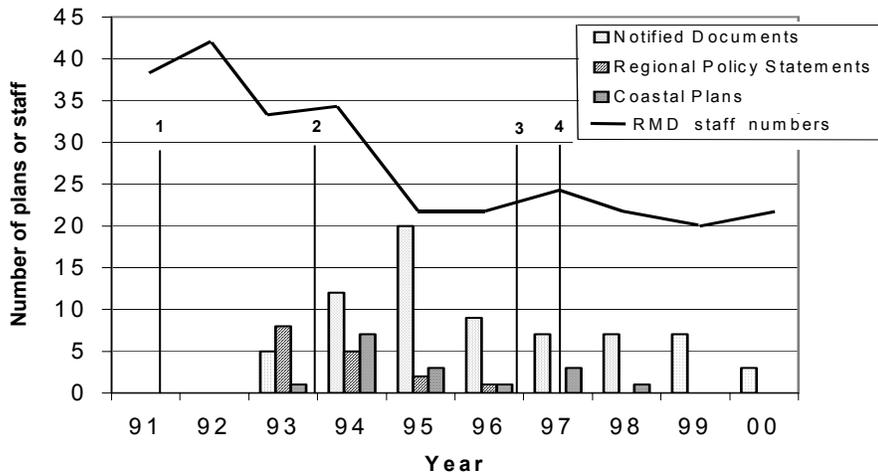
As I’m sure most of you are aware, New Zealand’s system of environmental governance went through massive changes during the late 1980’s. It moved from a more

centrally controlled system to one that more fully devolved decision-making to the local level where finding solutions to local problems seemed more appropriate. It also moved from a more centrally prescriptive system to one that enabled greater freedom for councils to develop the substance of their plans. Thus, while the process by which plans were to be developed was prescribed by the RMA, the content of the plans was not. What is more, it was made clear by the Local Government Commission, that the new system of governance would be practiced through *intergovernmental* cooperation and partnership.

In theory, a devolved and cooperative system of governance assumes that local government will be *committed* to implementing the national mandate, but may not have the *capacity* to comply. It is, therefore, beholden upon the Government to ensure that the requisite local capacity is built through its central agencies.

Unfortunately, our Government failed to ensure that local government had the capacity to implement its RMA legislation. In fact, at the time when most resources were needed for building capacity at the local level, Government's own implementing agencies (especially the Ministry for the Environment -- MfE) were being starved of resources. A \$3 million transition plan proposed by MfE to assist councils in their move from the TCPA to the RMA was axed by the Government in 1991, before it got underway. The Resource Management Directorate in MfE, which was given responsibility for implementing the RMA, had its staff numbers in its central and regional offices cut from 43 in 1991 to 22 in 1995 – a period when guidance and technical advice for, and transferring resources to, councils was most needed. Staff turnover throughout the 1990s averaged 24 percent each year (Figure 3).

Clearly, this outcome was contrary to the expectation of capacity-building implicit in a devolved and cooperative intergovernmental RMA. So why did this happen? More than anything else, governance in the 1990s was driven by the efficiency principles of managerialism and principal-agent contracts accompanied by severe cost cutting (Boston, et al., 1996). All government sectors were pushed towards operating as a private business, describing objectives through the specification of outputs and outcomes within overarching goals and strategic priorities. This would make them more accountable, transparent, and efficient.



Ministry for the Environment: comparison of trends in number of notified documents (regional policy statements, regional coastal plans, and district plans) with total number of staff in the Resource Management Directorate (RMD head and regional offices), 1991-2000. The period 1991 to 1996 was critical for policy- and plan-making, as indicated by: 1 RMA passed into law; 2 mandated due date for notified regional policy statements, regional coastal plans, and New Zealand coastal policy statement; 3 mandated due date for initial notified district plans; and 4 Green Package funding.

Certainly there have been benefits in the shift towards more accountability in councils and transparency in decision-making, but the hoped for responsiveness envisaged by the reformers has yet to fully emerge. This responsiveness is important as it helps balance public and private interests. So while operational and cost efficiencies have accrued from managerialism, government agencies, including councils, are not necessarily more effective.

Good governance systems must be able to respond to wide and varying public interests. Most importantly, it must balance short-term private interests and long-term public interests. As we constantly see in the media, much of the conflict surrounding councils and the RMA is about balancing these interests. Under this devolved system, local politicians must bear much of the responsibility for ensuring the balance reflects their local situation, but also national expectations – such as specified in Part II the RMA – matters of national importance and other matters of importance, including the Treaty of Waitangi. This requires switched-on and committed local politicians.

It was, however, troubling to find that commitment to the plan-making process by elected officials was uneven, and their leadership was often quite weak. Councillors often did not take the time and effort to understand the mandate, let alone *their* plan. They often set unrealistic deadlines, particularly rushing to notification to meet looming elections. They were not sympathetic and often mistrusted planning staff when deadlines were not met. Worse, too often the plan-makers were not supported by councillors in the face of opposition to notified plans by organised stakeholder groups and thus became demoralised. In the worst cases, those councillors who most pressured staff into releasing the plan disowned it when adverse public pressure escalated, and then publicly attacked their own staff for the situation. Furthermore, the plan-makers were not always able to find the compensatory direction and support that they needed at national or regional level. This was especially discouraging where good effects-based plans had been produced, such as in Tasman, Queenstown-Lakes, and Far North districts (Ericksen, et al., 2001).

Where good governance prevails, we would see a Government committed to providing its central implementing agencies (MfE and DoC) with the capacity to build capacity in the regions and districts, and we would also find these local agencies supporting the systems necessary to achieve both local and national environmental goals.

Without such support the effectiveness of the RMA is compromised from the very start. Unsurprisingly, the lack of adequate capacity-building from the centre has had a decade of repercussions - on the quality of plans, the quality of their implementation, and on the effectiveness of the Act itself.

I will come back to this issue later, but am now going to focus on the implementation and effectiveness of the RMA.

Part 2

The Journey

Now that the mission was established the little Hobbits set out upon their journey. Many questioned whether they would ever reach Mordor, but expectations were high. It was an un-trodden path and few could have foreseen the pitfalls and perils they encountered along the way. Decisions about what was good and what was bad were being made on new, often untested, criteria. Unfortunately for planners, bad developments never seemed quite as obvious as a black-cloaked horseman thundering around looking for a glowing RMA!

Councils' journey into the twists and turns of the RMA was just beginning. They were faced with the task of walking their talk – that is, implementing their own plans.

Newly empowered, many councils went to considerable lengths to put the sustainable (or ecological and low impact) principles of the RMA into their plans. Objectives and policies abounded with lofty intentions regarding the sustainable management of water, soil, vegetation, urban form, etc. Likewise, processes for including Māori were, to a greater or lesser degree, written into nearly all plans.

However, most of these ambitious policies tended to lack substance. There was little specific indication as to *how* a resource consent planner may achieve the objectives in the plan – a situation made all the worse by internal inconsistencies within plans. The processes for including Māori fell down in many cases because the consenting officers didn't specifically know when or for what tangata whenua should be consulted.

Thus, it became evident that despite the good intentions of plans, few actions were taken to implement them. In fact, from our plan implementation evaluation, which focused on the policy-consent relationship, the majority of plans consistently implement only limited aspects of their plans (Day, et al., 2003).

So despite the RMA-favoured policies in plans on ecological or low impact approaches to environmental management, the reality of day-to-day planning through resource consents saw these pushed aside in favour of standard management techniques – much like those undertaken under the TCPA. It is not, however, all bad news. There is a small romance happening between some councils and best practice – but it is a sub-plot, not the main story.

Even in our most progressive councils where eco-approaches are strongly promoted by the plan, innovative ‘best practice’ techniques fail to make much of an appearance in resource consents. It’s very much a case of business as usual. We have termed this an ‘*implementation gap*’ – that is, there is a gap between what a plan says it’s going to do through its policies and methods, and what it actually does through techniques used in consents.⁴

We found that there are a number of reasons to explain this ‘implementation gap’. I will briefly summarise the important ones.

1. There was generally poor plan quality and vaguely written policies in the plans. The implication being that most policies did not clearly articulate for plan readers and implementers the means by which plan objectives were to be achieved. What is more, there were inconsistencies between the policies and rules. Rules pertaining to policies were either missing or restricted the scope of policies, thus limiting their implementation. In other words, there was also a policy-rule gap.
2. Lack of guidance from policy units to consent units about the intentions of the plan, and a general lack of integration between consent and policy units were unhelpful to good plan implementation. This was, in part, a consequence of managerialism requiring functions to be separated to better monitor accountability and transparency in councils.
3. Reliance on other documents and legislation (rather than the plan) to manage adverse effects, namely engineering codes of practice and the *Building Act* 1991, but in so doing limiting actions solely to the provisions of those documents at the expense of other, more effects-based approaches.
4. Poor relationships between Councils and tangata whenua particularly at senior levels. Many genuine efforts by planning and regulatory staff to build relationships with tangata whenua were thwarted by a lack of formal recognition

⁴ A new Plan Implementation Evaluation method had to be developed by the PUCM team so that it could consistently and rigorously evaluate the extent to which policies in plans are implemented through resource consents. This method and the ways in which it can be used by councils to improve the implementation of plans is to be included in Guidelines for practitioners. Due for release early 2004.

of the relationship at the highest level. As well, there was a lack of guidance given to consent planners on criteria for seeking tangata whenua input. That is, while staff knew the process for consulting, the details on what ‘triggers’ consultation were often undefined.

More specifically, the barriers to the uptake of low-impact and new-urbanism management techniques can be attributed to four main factors.

1. There is a lack of central government guidance, especially with regard to national policy statements and/or standards and/or methods that would provide an impetus for adopting techniques with less adverse environmental impacts than traditional techniques.
2. There is limited council capacity to test, modify if necessary, and promote new environmentally robust techniques – particularly to surveying and infrastructure providers.
3. There is a potential *lag-time* between the adoption of new concepts in policies in the plan and the development of techniques and staff to implement them. That is, it is taking some time for ideas about ecological sustainability to be translated into management techniques that are practical and at least as efficient as traditional techniques. And then even once these ideas have practical applications, it takes time for them to permeate through to practitioners.
4. Costs of implementing new techniques act as a deterrent to both council and developers. Councils are deterred by the costs of researching, testing, and potential liability associated with new techniques, while developers are deterred by the physical costs of applying them.

I’ve skimmed through these points, but they are important particularly because many of them stem, again, from poor governance. I bring it back to governance because many of the fundamental problems with implementation of the RMA relate to capacity. Far too many councils have insufficient capacity to carry out even their most basic functions well. They have been hampered by a decade of managerialism that has prioritised budgets over quality outcomes; efficiency over effectiveness. And it’s

beginning to show. If our results are anything to go on, the presence of good quality environments is likely to be in-spite of the plan, not because of it.

As I have already noted, a large portion of responsibility for capacity-building rests with the Government. The sometimes schizophrenic actions of Government over the past decade have certainly not helped this process of capacity-building. I cast the Government as Gollum – that mesmerising character that both loves and hates the Ring – because like the Ring, the power of the RMA is great. Smeagol, Gollum’s alter ego, knows it can inflict great pain and suffering on the bearer, and empathises with the bearer over the pain... but is glad to be free of it himself.

We see similar traits in the Government where it wants to help – by providing some guidance and resources to councils, and small amendments to the Act- but not wanting to get too close and so failing to provide national policy statements and standards, methods for evaluating nationally important environments, and compensatory funding for planning, including to property owners that are being asked to protect nationally important environments for the public good.

Because councils have not been implementing their plans well they have been facing a barrage of criticism from the public, the media, and often planning practitioners themselves. The question we ought to be asking is this: “Is it the RMA or its implementation that is the real problem?” While the Act has some aspects that could do with amendment (e.g. clarifying all sections in Part II), our research would suggest that some of the tension surrounding the costs, delays and uncertainties of the consent process would dissipate if councils actually implemented their plans in the manner intended.

This would not address business concerns about inter-council consistency, as under a devolved mandate each council is free to approach environmental management in the way they see best for their particular circumstances. A small measure of consistency will occur only when national policy statements and standards set policy frameworks and minimum environmental requirements, or there is greater regional cooperation with district councils than occurred during the 1990s.

Other concerns of business about time delays, costs and the quality of councillor-led hearings have some merit and need to be addressed. But they are symptoms of the problem rather than the cause. Far greater attention should go towards improving the underlying governance structures that allow bad practice to occur, rather than the bad

practice itself. And, that means having the resources necessary for building capacity to do better. All levels of government share responsibility in that regard. After all, the RMA is a cooperative *intergovernmental* mandate.

I'd also go so far as to say that not all the blame on delays and costs lies with councils. Property developers themselves would do well to recognise that under the RMA, negative externalities arising from their use and development of natural and physical resources come at a cost, which will be commensurate with the negative environmental impacts arising from their activities.

In effect, the RMA requires that developers internalise that environmental cost and not push it onto the public domain. The better and more accurate the information that developers provide when making an application for a resource consent -- particularly the assessments of environmental impacts -- the easier and more certain the council's decision-making process will be. I say this because our analysis of nearly 500 resource consents in six district councils revealed that the quality of information contained within applications is generally quite poor. Not surprisingly, delays are encountered and costs increase as council staff seek further information from the applicant.

Disturbingly, there is also a large number of consents that are being granted by council with very little, or perfunctory, assessments of environmental effects. This raises serious doubts about the quality of decision-making and the commitment of councils to achieve the good quality environmental outcomes specified in their plans. When these results are combined with those about consent staff preference for traditional over low-impact management techniques one starts to wonder if 'sustainable management' under the RMA is not just smoke and mirrors. Add to this the likely adverse cumulative effects of permitted activities on the environment and good outcomes seem less than assured.

This leads me to introduce the third part of this story, and indeed the third phase of our research about whether the environmental outcomes envisaged by district plans are actually occurring.

Part 3

The Destination

At the end of the second film, the battle at Helms Deep had been fought and won, but more battles were expected as the hazardous journey continued towards its final destination -- Mordor. We still do not know if the mission will be successful, or what the final cost of the mission will be.

Similarly, we are not sure what the outcome from the RMA will be. There is evidence to suggest what these outcomes *may* be, but the question of whether the RMA has enabled sustainable management -- insofar as our natural and physical resources are not overly compromised for future generations -- has yet to be fully answered. Will sustainable management for desired environmental outcomes fade into the stuff of legends or will it become a reality? This critical question forms the basis of the final phase of the PUCM research to be conducted over the coming three years.

In our story thus far, we have traced the inception of the RMA, its interpretation in policy statements and plans, and the implementation of those plans. Now our objectives are to:

1. develop and apply methods for linking anticipated environmental results (AERs) articulated in district plans to the state of environment (SOE) within districts; and
2. determine whether AERs for Māori match SOE results, by developing a kaupapa Māori view of SOE and assessing the effectiveness of district plans.

Also, as a result of the first two phases of research we discovered that there are valuable lessons to be learnt about planning and governance under the RMA, that are important to pursue. Accordingly, the next phase of our research has two further objectives.

3. to evaluate planning and governance lessons from the RMA experience for use in implementing sustainable development through LTCCPs under the LGA; and
4. to prepare and implement a programme – drawing on all phases of the PUCM research – that builds capacity in relevant provider and end-user groups.

Now I assume that most of you have not read the third book in the trilogy - *The Return of the King* – and since the movie has yet to be released, I do not want to spoil the ending for you. Neither, of course, do I want to pre-judge future findings! Nevertheless, to successfully reach our destination, past experiences suggest some courses of action that ought to be implemented in order to get there.

The Government

Will the Government change so that it lives up to the responsibilities conferred on it by having adopted devolved and cooperative RMA and LGA mandates? By its own admission the Government has been responsible for a lot of the delays and costs associated with the implementation of the RMA, in terms of defining terms, responsibilities, processes and procedures, which it left councils to figure out on their own (e.g., Upton, 1997; 1998; and 1999). This caused costly replication of effort across the country.

The Minister for the Environment recently signalled that national policies and standards will at long last be prepared, but which ones and for what remains to be seen (Hobbs, 2003). What is absolutely certain, however, is that the Government will have to greatly improve the capacity of its implementing agency – the MfE. It will also need to initiate another round of local government reform and amalgamations in order to help further build the capacity needed in councils for carrying out their devolved functions, such as better knowing the carrying capacities of local environments and how best to manage them. But will the Government walk their talk any better than before?

There is cause for concern. Without having adequately built council capacity for planning under the RMA, the Government has just added another burden upon councils by requiring them to develop long-term council community plans under the new LGA. And, just like the RMA, the Government has prescribed a *process* for councils to follow, but leaves them to deal with the *content* of their long-term council community plans. From the RMA experience, capacity-building from the centre is essential if councils – especially small councils, which form the majority - are to come to grips with this ambitious piece of well-intentioned legislation.

Alas, the Government has provided its Department of Internal Affairs (in association with Local Government New Zealand) with less than \$1 million for implementation of the LGA in the first year and no indication yet as to whether or not

this funding will extend into the second year (Illingsworth, 2003). This is *half* the amount provided to MfE annually for implementing the RMA throughout the 1990s (Ericksen, et al., 2001). It is hard to believe that this approach to implementing the LGA legislation will yield the outcomes anticipated from it, any more than it has done so far for the RMA. Indeed, perhaps less so since instead of dealing with one bottom line (environment), the LGA requires councils to deal with four of them - environmental, economic, social and cultural well-being of communities. Mordor may well now seem like a mirage.

The Councils

Will council politicians and chief executives in general take more seriously than hitherto their responsibilities under the RMA and provide the level of resources needed for developing their plans and ensuring that they are much better implemented than previously? Will they repair the damage caused by the functional separation of key units involved in developing and implementing council plans? Will councils release the resources needed for comprehensive training of the policy and planning staff responsible for developing the plans, and will they do the same for regulatory and other staff responsible for developing and implementing low impact, environmental friendly methods? Most important of all, will they provide the resources needed for greatly improving councillors' understanding of the goals and processes of statutory planning and their responsibilities, so that they can walk the talk for both RMA and LGA?

The Resource Developers

Almost all New Zealanders, including business people, agree that our clean, green image is important – in fact we found that the vast majority of the nearly 300 resource consent applicants that we interviewed in six councils felt some degree of responsibility for protecting the environment from the effects of their development. Translating responsibility into dollars is, however, more contentious. Nevertheless, it is unrealistic to expect that under our free market system, the larger and more complex developments (with more likelihood of negative environmental effects) should leave the public to pick up the costs. Moreover, it is unrealistic to expect that the public will not be interested in participating in the processes and outcomes that affect their communities.

Towards Mordor

The story thus far suggests that the problem of implementation lies not so much in the RMA, but in its mode of delivery. The RMA can be amended until we are all blue in the face, but that will not in-and-of-itself yield better planning and environmental outcomes. Making better quality plans and plan implementation processes will of course help, but our research suggests that this will not happen until there is a radical improvement in governance.

A radical improvement in governance requires a dramatic change in attitudes by both resource users and politicians. We may feel that we have been through dramatic shifts over the last decade, but our research would suggest that this shift has been more in thinking, rather than action – in other words, our hearts need to catch up with our heads.

In doing this we need to give weight to our ‘clean’, ‘green’, ‘sustainable’ values and not get sidetracked by noisy short-term interests. That is not to say they are not valid - they are - but they rest within a larger picture, and indeed within a larger timeframe. It is time we started looking at this bigger picture. A good start is to meaningfully define the outcomes that our communities want and then commit ourselves, and those same communities, to achieving them.

The End

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