

## 24 Cross-Boundary Issues

### *Introduction*

The environmental effects of some activities are not always contained within the local authority area in which they originate. For instance, an activity that generates significant volumes of traffic transporting produce might be located in a different administrative area to the nearest produce handling facility. Similarly, contaminants discharged into a watercourse might not disperse or break down quickly such that use opportunities in downstream local authority areas are constrained. Where environmental effects of activities transcend the boundaries of the territorial area administered by a local authority the related issues are referred to in this Plan as cross-boundary issues. Resolution of such issues may require response measures to be adopted by more than one local authority.

The Act requires the Council to state in its District Plan the processes that are to be used to deal with issues which cross territorial boundaries.

The Act already sets out some processes which assist local authorities to address cross-boundary issues. For instance, when a local authority reviews or changes its District Plan, the Act requires it to consult with other local authorities as may be affected by that document. It also requires the authority to send a copy of the Plan document to affected local authorities when it is notified. These processes help to ensure that cross-boundary issues are defined and addressed in a coordinated way. Similarly, when a development proposal leads to resource consent applications being lodged with more than one local authority and it is proposed to hold hearings in respect of the applications, the Act requires that a joint hearing be held unless there is a good reason for not doing so.

This District Plan identifies and addresses a number of specific cross-boundary issues affecting the City. In addition, the Council has developed a set of provisions designed particularly to assist in the identification and resolution of resource management issues with cross-boundary implications. These provisions focus on the maintenance of effective communication between the Council and the adjacent district councils of Waitaki, Central Otago and Clutha and the Otago Regional Council with a view to initiating a cooperative and coordinated response to issues. They also emphasise the importance of ongoing monitoring of the environment so that emerging issues can be identified at an early stage in their lifecycle.

## ***24.1 Significant Resource Management Issues***

### **Issue 24.1.1**

**Some activities have environmental effects that may cross local authority boundaries.**

*Objective:* 24.2.1

*Policies:* 24 3.1, 24.3.2

### **Explanation**

The effects of an activity may cross the boundary of the local authority area in which the activity is located and affect the environment of some other local authority area(s). In such circumstances, the 'second party' local authority may have no ability to influence the activity since it is located outside its area of jurisdiction.

## 24.2 Objectives

### Objective 24.2.1

**Ensure that cross-boundary issues are identified, defined and addressed.**

*Issue:* 24.1.1

*Policies:* 24.3.1, 24.3.2

### Explanation

The Council is charged with achieving integrated management of the effects of the use, development and protection of land and associated natural and physical resources of the City. Because resource management issues may transcend local authority boundaries, it is therefore important that actual and potential cross-boundary issues are formally identified and defined, and that appropriate processes are put in place to ensure that adverse effects are avoided, remedied or mitigated.

### *Principal Reasons for Adopting Objectives*

This objective is adopted in recognition of the fact that integrated management of the effects of activities based on natural and physical resources is dependent in part on the resolution of cross-boundary issues.

## 24.3 Policies

### Policy 24.3.1

**Establish and maintain formal processes for dealing with cross-boundary issues.**

*Objective:* 24.2.1

*Methods:* 24.4.1 - 24.4.3

### Explanation

Formal processes are required to provide a mechanism for resolution of cross-boundary issues.

### Policy 24.3.2

**Work cooperatively with Waitaki, Central Otago and Clutha District Councils and the Otago Regional Council in order to address cross-boundary issues in a timely manner.**

*Objective:* 24.2.1

*Methods:* 24.4.1 - 24.4.3

### Explanation

The identification, definition and resolution of cross-boundary issues is highly dependent on effective communication between, and cooperation with, adjacent territorial local authorities and the Otago Regional Council.

### *Principal Reason for Adopting Policies*

Successful achievement of the objectives requires a commitment to two things:

- (i) Preparedness to adopt formal processes for addressing cross-boundary issues.
- (ii) A willingness to work cooperatively with other local authorities who may have an interest in, and responsibility for, the resolution of cross-boundary issues.

## 24.4 *Methods of Implementation*

The methods of implementation of this section apply across all other sections of the District Plan.

The methods to be used to achieve the objectives and policies identified in this section include the following:

### **Method 24.4.1 Monitoring Programmes**

The establishment and maintenance of a resource management monitoring programme aimed at characterising the state of the environment, changes in that state and the effectiveness and suitability of the process established to manage natural and physical resources in the City.

*Policies:* 24.3.1, 24.3.2

### **Method 24.4.2 Consultation**

Consultation with the Waitaki, Central Otago and Clutha District Councils and with the Otago Regional Council on an ongoing and formal basis in respect of actual and potential cross-boundary issues.

*Policies:* 24.3.1, 24.3.2

### **Method 24.4.3 Protocols and Working Parties**

- (i) The establishment and maintenance of joint working parties or committees as required in order to address cross-boundary issues.
- (ii) The development of, and agreement to, protocols aimed at facilitating the resolution of cross-boundary issues as required.

*Policies:* 24.3.1, 24.3.2

### ***Principal Reasons for Adopting Methods***

While the Act includes provisions designed to assist in the resolution of cross-boundary issues, the Council believes it is appropriate and necessary to supplement these with additional processes in order to ensure that cross-boundary issues are identified, defined and addressed in a timely manner.

Ongoing monitoring of the environment and the processes put in place to manage natural and physical resources will help to ensure that this objective is achieved by clearly highlighting where actual or potential issues exist. Effective consultation with adjacent territorial local authorities and the Otago Regional Council is also required in order to achieve the objective, particularly where joint action is required to resolve a specific issue. Only when affected parties talk and liaise can issues be comprehensively defined and respective responsibilities established. This willingness to work together must extend to a preparedness to join other parties in adopting formal mechanisms designed to identify, define or resolve issues. Circumstances may arise where the good intentions of one party alone may not be sufficient to resolve a cross-boundary issue. Finally, the effective identification, definition and resolution of cross-boundary issues can be facilitated by looking widely at the potential implications of proposed or existing activities. For this reason, the Council has elected to actively consider the potential cross-boundary effects of policy and resource use proposals as a method of implementing policy on cross-boundary issues.

## ***24.5 Anticipated Environmental Results***

The anticipated environmental results are:

### **24.5.1**

Resource management issues having cross-boundary implications are identified, defined and addressed in a manner that is consistent with the purpose of the Act.