

had to be rewritten at the last minute or alternatively that this useful category was not used. Whichever the case the result was poorly constructed plans and poor planning practice.

THE RESOURCE MANAGEMENT ACT 1991 IN ACTION

The balance of this chapter gives a basic guide to how the RMA works and in particular the plans and processes to which it gives rise. Although in places the original forms will be referred to, the RMA model described here is the one that reflects the changes created by the 2009 amendments to the act.

THE TRANSITION PROVISIONS

Introducing new legislation with new requirements for plan making, consent granting and decision making could not be achieved overnight and consequently the RMA contains substantial transition provisions in Part XV. These complex and lengthy sections of the act originally served to clad the old planning system in new clothing, transforming, for instance, district schemes into district plans after a simple public advertisement and rendering conditional uses as discretionary activities and specified departures as non-complying activities. The essential technical language of planning was also altered and there seemed to be a specific policy of altering all major terms – schemes became plans, uses became activities and ordinances became rules. This is justified as it ensures the minimum of confusion between the RMA and its predecessor but can sow confusion in the period when the newly christened district plan still uses the old nomenclature but is used in the new RMA processes. Long institutional memory seems to be an integral part of the planning system, applying to both planners and their clients on both sides of the administrative divide. This seemed to add to the general confusion of the first years of the act's operation.

It was obviously essential that the planning system continue to function and, although I can locate no earlier figures, by 1996/7 some 57,461 resource consents were being processed each year, and in subsequent years this averaged over 52,000 consents a year (Ministry for the Environment 1997a: v). Many of those consents would have been processed in terms of plans written under the previous legislation or, in the case of regional councils, catchment board by-laws. The first district plan written under the RMA, the Gulf Islands section of the Auckland City District Plan, was notified in April 1994 and was operative by the end of 1999. By 2009 only one local body, the Rodney District Council, still did not have what came to be known as a first-generation RMA district plan, and in fact most