

Resource Management Reforms

Spatial Planning Bill



Natural and Built Environment Bill

Climate Adaptation Bill

Contents

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Who are we

- Policy Planning team
- Responsible for District Plan Review
 - Started in 2019
 - Preparing a draft District Plan for 2023
 - Notifying a proposed District Plan in 2024
- Driven by the Resource Management Act

Background

- Resource Management Act in effect since 1991.
- Primary legislation for resource management and environmental sustainability.
- Frequently amended.
- Often criticised for being ineffective (not achieving outcomes) and inefficient (costly delays).
- Government launched a review in 2019/2020. Review recommended legislative reform.
- Government working on three new pieces of legislation:
 - Strategic Planning Act
 - Natural and Built Environment Act
 - Climate Adaptation Act (in development)

Drivers for RM reforms

New Zealand's natural environment is under significant pressure

Urban areas are struggling to keep pace with population growth

An urgent need to reduce carbon emissions and adapt to climate change

The need to ensure that Māori have an effective role in the system, consistent with the principles of Te Tiriti o Waitangi

The need to improve system efficiency and effectiveness

The proposed legislation

Headlines

- *RMA will be replaced by the Natural and Built Environment Act and Spatial Planning Act.*
- *A new National Planning Framework will set national direction (must set environmental limits).*
- *Regional policy statements, regional plans and district plans will be replaced by regional spatial strategies and natural and built environment plans.*
- *New Regional Planning Committees will be responsible for plan making (effectively replacing councils as decision makers).*
- *Councils will still be responsible for consenting, monitoring, compliance and enforcement.*

Key concept - Te Oranga o te Taiao

- a) The health of the natural environment,
- b) The essential relationship between the health of the natural environment and its capacity to sustain life,
- c) The interconnectedness of all parts of the environment, and
- d) The intrinsic relationship between iwi and hapū and te Taiao.

Natural and Built Environment Act

Purpose

- Enable the use, development, and protection of the environment in a way that—
 - Supports the well-being of present generations without compromising the well-being of future generations,
 - Promotes outcomes for the benefit of the environment,
 - Complies with environmental limits and their associated targets, and
 - Manages adverse effects,
- Recognise and uphold te Oranga o te Taiao.

What it does

- Sets specific **System Outcomes** and **Decision Making Principles**

System outcomes must be provided for in the national planning framework and plans.

- Sets requirements for the **National Planning Framework**

Will replace national policy statements, national environment standards and planning standards.

- Sets requirements for **Natural and Built Environment Plans**

Will replace district plans, regional plans and regional policy statements.

- Sets a new **consenting system**

Similar to the current system, with some key differences on activity statuses and notification.

Spatial Planning Act

Purpose

Provide for regional spatial strategies that:

- Assist in achieving the ***purpose*** and ***system outcomes*** of the Natural and Built Environment Act,
- Promote integration in the performance of functions under:
 - Natural and Built Environment Act,
 - Land Transport Management Act, and
 - Local Government Act 2002.

What it does

Sets requirements for regional spatial strategies, that must:

- Set out a vision and objectives for the region's development and change,
- Set out the actions that must be taken as a matter of priority to achieve that vision/objectives, and
- Provide strategic direction on specified matters.

Key requirements

- Enable the use, development, and protection of the environment in a way that—
 - Supports the well-being of present generations without compromising the well-being of future generations,
 - Promotes outcomes for the benefit of the environment,
 - Complies with environmental limits and their associated targets, and
 - Manages adverse effects,
- Recognise and uphold te Oranga o te Taiao.

Regional Planning Committees

- Responsible for NBE Plans and Regional Spatial Strategies (including plan development, hearings and decisions).
- One for each region.
- Committee of all local authorities (six member minimum).
- At least one member appointed by each local authority, at least two appointed by *Māori Appointing Bodies*, one appointed by Minister for the Environment.
- Supported by a secretariat.
- *A host local authority* provides admin support and manages finances.
- Jointly funded by local authorities.

Implications for Mana Whenua

- Responsible for appointing some members of Regional Planning Committees
- More emphasis on treaty principles – now “give effect to”, versus previous “take into account”.
- Local authorities must have Māori participation policies, mana whenua partnership agreements, and funding arrangements.
- A core principle of NBEA is “Te Oranga o te Taiao” – iwi and hapū will help define what this means for each region. This recognises the importance of iwi and hapū relationships with te taiao.
- New National Māori Entity, an independent environmental advisory and monitoring body will be appointed by the Minister following a nominations process.

Summary of the key changes

- Two pieces of legislation (plus the Climate Change Act)
- No more regional policy statements, regional plans or district plans – replaced by a Regional Natural and Built Environment Plan and Regional Spatial Strategy.
- Current national policy statements and environmental standards replaced by the National Planning Framework.
- New bottom lines for the natural environment.
- Likely to be an increase in national direction.

Council's role in the new system

- No longer responsible for plan making

This would be done at a regional level, by the Regional Planning Committee

- Council would be represented on Regional Planning Committee
- Council is able to preparation a statement of community outcomes

This is a summary of the views of a local community

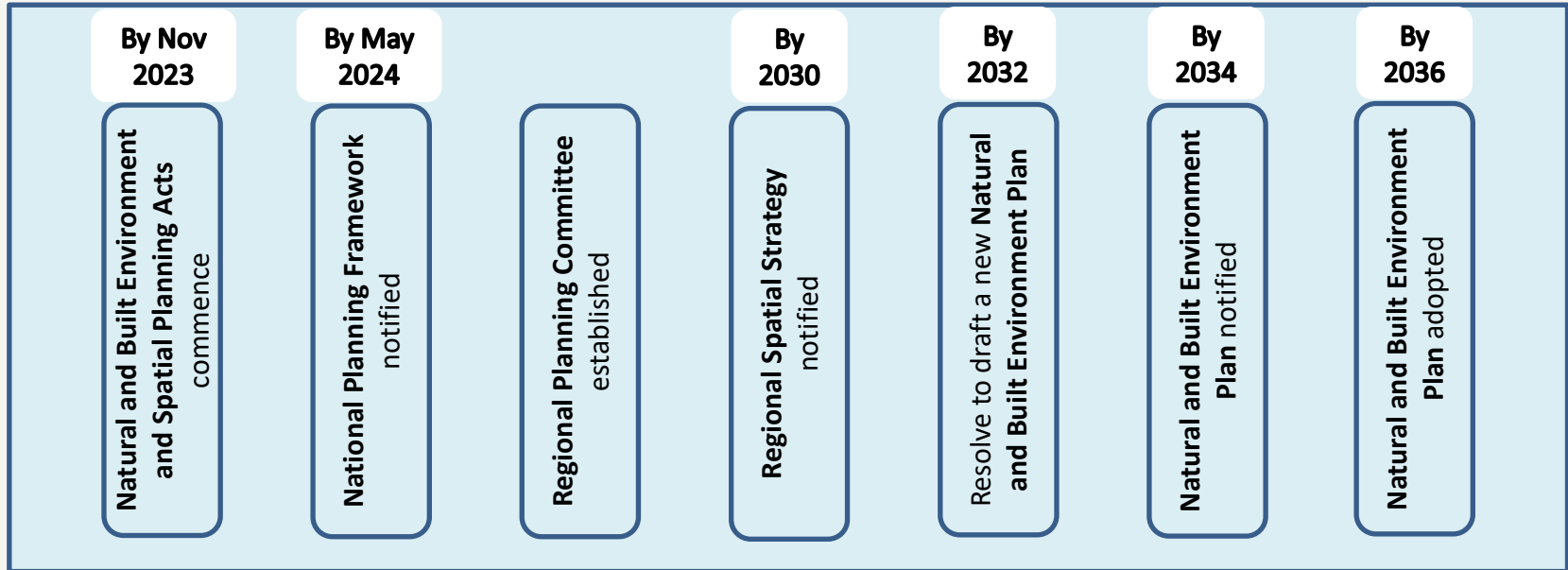
- Can submit on proposed plans and strategies
- Can propose plan changes but subject to Regional Planning Committee hearing
- Continue to process resource consents
- Continue monitoring and enforcement functions

Transition

- Transition to the new planning system may be a long process.

Timing will depend on the planning and co-ordination of all councils in the region

Possible timeline (based on latest dates)



Questions/Discussion