



Resource Management Act Reform

Panel made RMA recommendations

Cabinet approved a process of reform in December 2020

RMA to become **Natural and Built Environments Act (NBA)**

Other legalisation will be adopted called **Strategic Planning Act (SPA)** and **Managed Retreat and Climate Change Adaptation Act (CAA)**

OVERVIEW OF THE PROPOSED RESOURCE MANAGEMENT SYSTEM

NATURAL AND BUILT ENVIRONMENTS ACT

Purpose and Related Provisions

The purpose clause includes Te Oranga o te Taiao, and use of the environment for the well-being of present and future generations.

Related provisions cover the Treaty, environmental limits, and environmental outcomes



Purpose and related provisions translated through the development of NFF

National Planning Framework

Contains the environmental limits that are set nationally, targets, other provisions such as methods and rules, and a precautionary approach, to direct and guide those exercising functions and powers under the NBA in the implementation of the Act



Purpose and related provisions, and NFF translated into plan provisions

Natural and Built Environments Plan

Developed by local government, central government and mana whenua, replaces the existing regional policy statements, regional plans and district plans. Contains provisions (including rules) that determine whether a consent is required, whether it needs to be notified, and what an application will be assessed against in order to grant it. Includes designations (reserving land for infrastructure works etc)

Resource Consents

Implementation of Designations

STRATEGIC PLANNING ACT

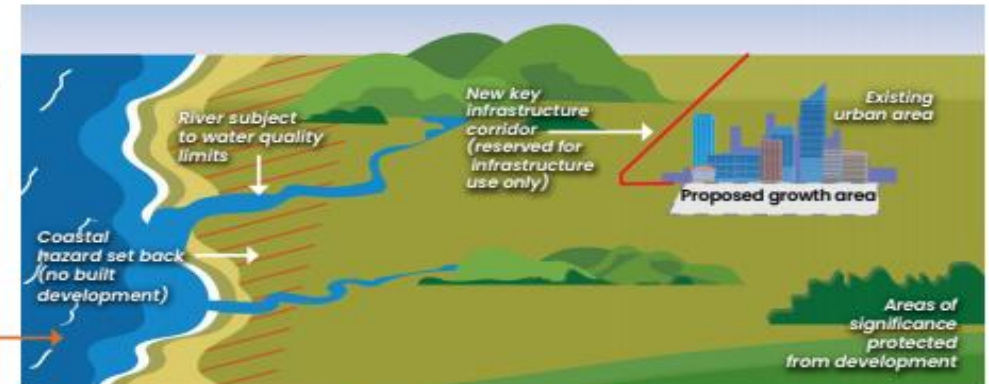
Climate Change Response Act

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Long-Term Regional Spatial Strategy

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Climate Adaptation Act



RSS translated into plan provisions

Local Government funding mechanisms

Long-term plans, Regional Land Transport Plans, Annual Plans



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Natural and Built Environments Act (NBA)

Integration of the natural and built environments where development would be enabled with sustainability and limits in place to protect biophysical resources

Focus on promoting positive outcomes as well as managing adverse effects on the environment

Natural environment – the resources of land, water, air, soil, minerals, energy, and all forms of plants, animals, and other living organisms (whether native to New Zealand or introduced) and their habitats; and

- ecosystems and their constituent parts

Built Environment – x

(includes human-made buildings, structures, places, facilities, infrastructure, and their interactions which form part of rural and urban areas where people live and work)



Part 2

Purpose and principles

5 Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—
 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.



Part 2

Purpose and related provisions

5 Purpose of this Act

- (1) The purpose of this Act is to enable—
 - (a) Te Oranga o te Taiao to be upheld, including by protecting and enhancing the natural environment; and
 - (b) people and communities to use the environment in a way that supports the well-being of present generations without compromising the well-being of future generations.
- (2) To achieve the purpose of the Act,—
 - (a) use of the environment must comply with environmental limits; and
 - (b) outcomes for the benefit of the environment must be promoted; and
 - (c) any adverse effects on the environment of its use must be avoided, remedied, or mitigated.
- (3) In this section, **Te Oranga o te Taiao** incorporates—
 - (a) the health of the natural environment; and
 - (b) the intrinsic relationship between iwi and hapū and te taiao; and
 - (c) the interconnectedness of all parts of the natural environment; and
- (d) the essential relationship between the health of the natural environment and its capacity to sustain all life.



Te Tiriti

Strengthening in recognition of Māori values and tikanga as well as a direct involvement decision-making

Mana whenua would have a partnership with local government in preparation of combined plans for each region

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

6 Te Tiriti o Waitangi

All persons exercising powers and performing functions and duties under this Act must give effect to the principles of te Tiriti o Waitangi.

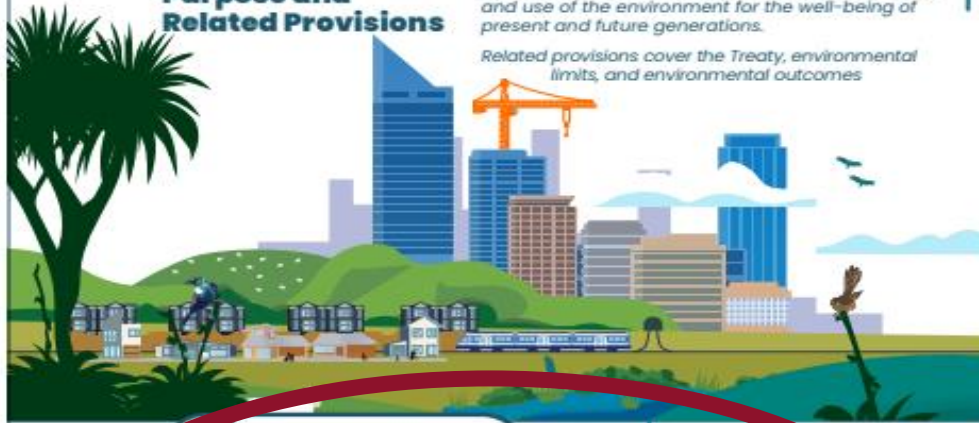
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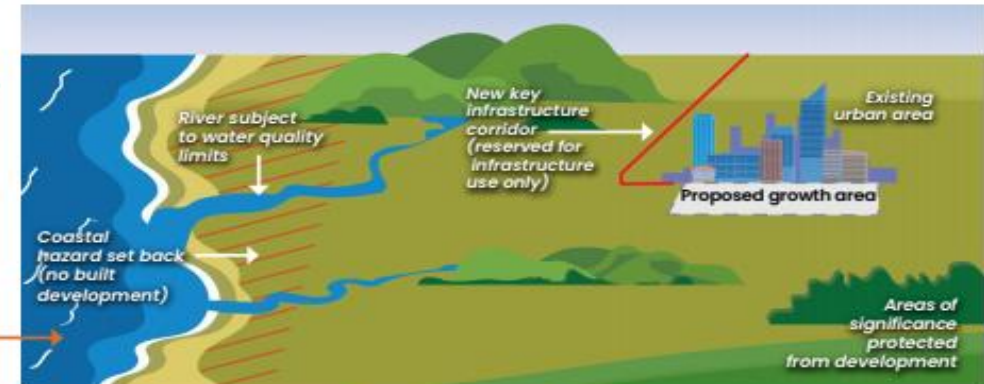
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National Planning Framework (regulations)

To provide integrated direction from central government on:

- Quality of air, freshwater, coastal waters, estuaries and soils
- Ecological integrity
- Outstanding natural features and landscapes
- Areas of significant indigenous vegetation and significant habitats of indigenous animals
- Greenhouse gas emissions
- Urban areas
- Housing supply
- Infrastructure services
- Natural hazards and climate change



Environmental Limits

National Planning Framework will set limits (may change on locations)

Limits must be prescribed for the following:

- Air
- Biodiversity, habitats, and ecosystems
- Coastal waters
- Estuaries
- Freshwater
- Soil



National Planning Framework

Must promote:

- (c) outstanding natural features and landscapes are protected, restored, or improved:
- (e) in respect of the coast, lakes, rivers, wetlands, and their margins,—
 - (i) public access to and along them is protected or enhanced; and
 - (ii) their natural character is preserved:
- (j) greenhouse gas emissions are reduced and there is an increase in the removal of those gases from the atmosphere:

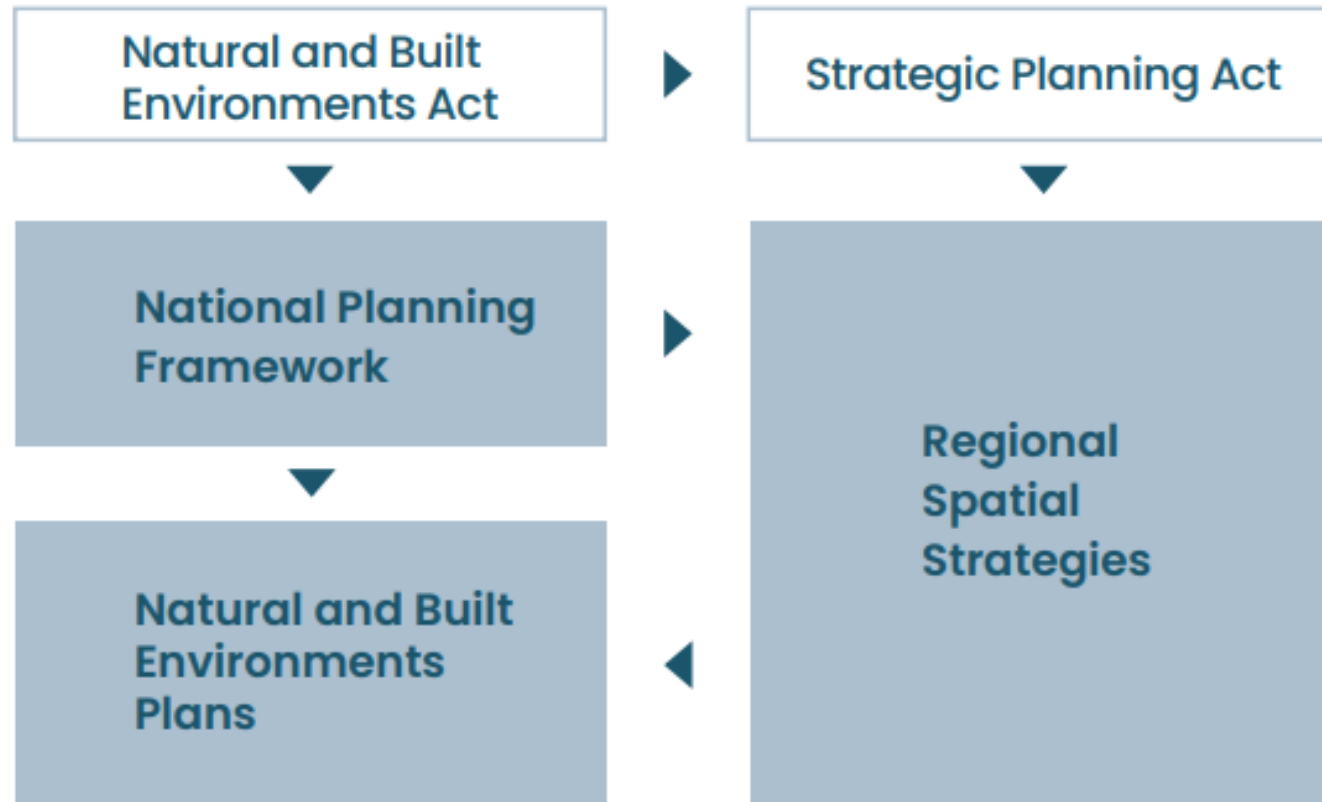


- (k) urban areas that are well-functioning and responsive to growth and other changes, including by—
 - (i) enabling a range of economic, social, and cultural activities; and
 - (ii) ensuring a resilient urban form with good transport links within and beyond the urban area:

- (l) a housing supply is developed to—
 - (i) provide choice to consumers; and
 - (ii) contribute to the affordability of housing; and
 - (iii) meet the diverse and changing needs of people and communities; and
 - (iv) support Māori housing aims:



- (m) in relation to rural areas, development is pursued that—
 - (i) enables a range of economic, social, and cultural activities; and
 - (ii) contributes to the development of adaptable and economically resilient communities; and
 - (iii) promotes the protection of highly productive land from inappropriate subdivision, use, and development:



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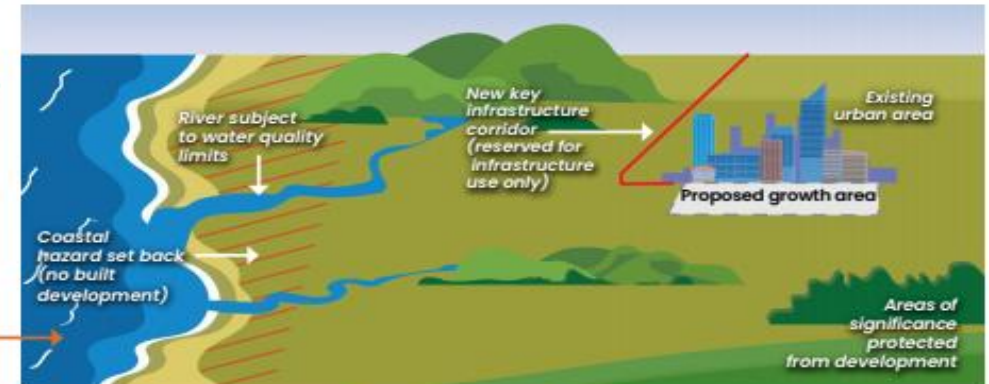
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Natural and Built environments plans

State the environmental limits that apply for the region or use framework (flexibility)

Promote the environmental outcomes

Be consistent with the regional spatial strategy (Strategic Planning Act)

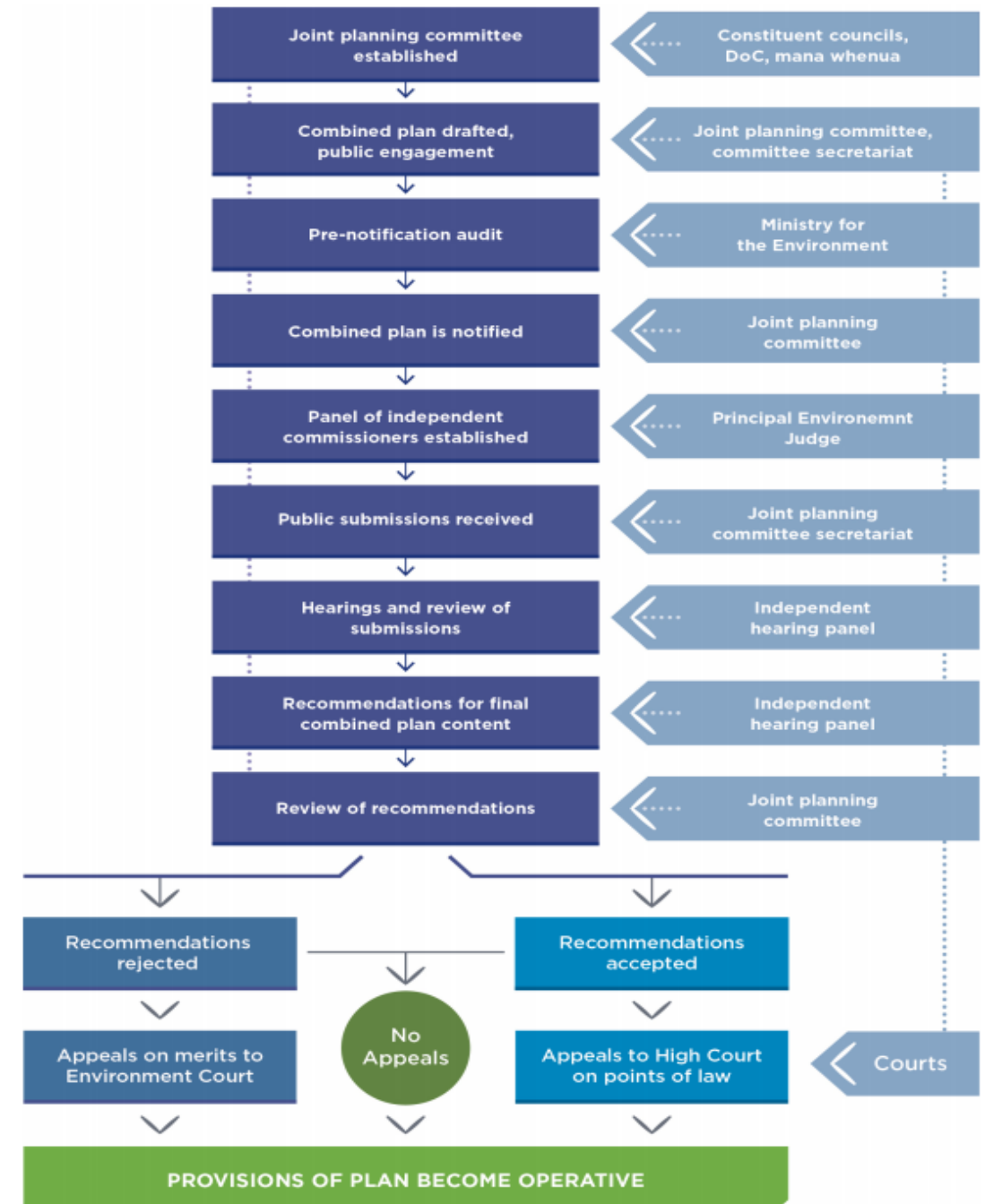
“Help to resolve conflicts relating to the environment in the region, including any conflicts between or among any of the environmental outcomes”

100 plans to 14

Prepared and notified by “planning committee”

Planning Committee and plan

Figure 8.1: Proposed process for creating combined plans





Consents and permits

Better plan – fewer consents

Controlled and restricted discretionary activities are “encouraged activities”

Removing the category of “non-complying”

More discretionary activities

All discretionary activities will be fully notified (although less of these)

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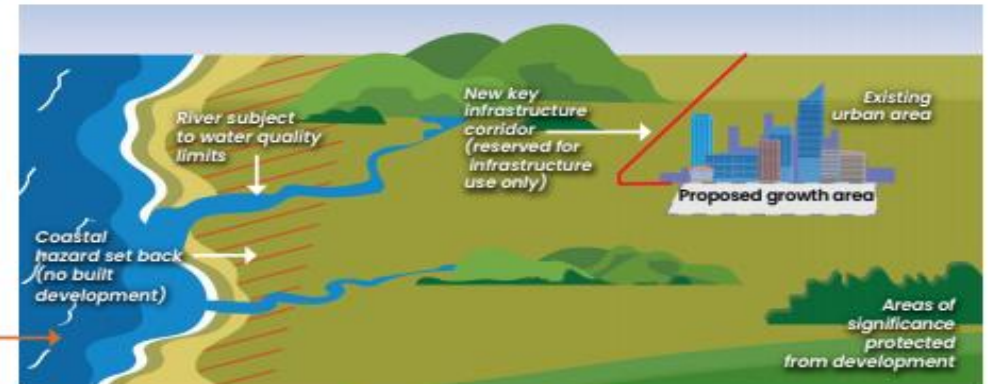
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Strategic Planning Act (SPA)

To create long-term (30 years), strategic and integrated approach to planning with infrastructure and associated funding and investment

Recommended mandatory regional spatial planning

“The regional strategies would enable more efficient land and development markets to improve housing supply, affordability and choice, and climate change mitigation and adaptation”



Purpose of the SPA

“The purpose of this Act is to promote the social, economic, environmental and cultural wellbeing of present and future generations through the long-term strategic integration of functions exercised under specified legalisation”

The Natural and Built Environments Act

Local Government Act 2002

Land Transport Management Act 2003

Climate Change Response Act 2002



The Managed Retreat and Climate Change Adaptation Act

Resource Management and Climate Change

Main issues:

1. Reducing greenhouse gas emissions
2. Effects of climate change and natural hazards
3. Resource management and coastal areas
4. Funding barriers



The Managed Retreat and Climate Change Adaptation Act

Allow for areas that are prone to flooding and affected by climate change to be acquired with the land owner being compensated

Link to NBA and SPA to give local authorities tools to manage climate change

Private property rights



Timeframes

May–September 2021: Draft of the NBA will be agreed by Cabinet and then referred to a special select committee inquiry

The SPA and Climate Change Adaptation Bill will be developed in a parallel process with the latter managed out of the Minister for Climate Change office

January 2022: The Natural and Built Environments Bill and the Strategic Planning Bill will be introduced to Parliament and public can make submissions

A standard select committee process will consider them. The Climate Change Adaptation Act will be developed in a similar timeframe

December 2022: It is intended that all three pieces of legislation are passed by the end of 2022