

plans

RMA

purpose

growth

Resource Management Act

effects

housing

district

reform

legislation

decision-making

hazards

soil

landscape

development

environment

planners

consistency

economic

timeframes

coast

ecological

consent

heritage

implications

water


air

region

infrastructure

changes

Workshop Outline

- Introduction - overview
- Panel presentation:
 - Part II – Brad Nobilo 
 - National direction – Luke Hinchey
 - Plan development – Megan Tyler
 - Consenting – Chris Scafton
- Breakout into small groups – 25min - swap
- Final summary of key workshop comments – from the panel
- Finish 7pm

Challenging changes and opportunities



Setting the scene

Minister for the Environment, Hon. Nick Smith introduced reforms he says will:

- Support **economic development**
- Support **housing development**



Key changes to Part II of the RMA

- **H**ow to improve the management of risks from natural hazards under the RMA
- The management of **significant risks from natural hazards** has been added as a 'Matter of National Importance' s6(h), p17



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Controversial coastal hazards zonings dropped

LOIS CAIRNS

Last updated 20:32, September 29 2015



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Other key changes

Strengthening the requirements on councils to improve housing and provide for development capacity.

- amend sections 30 and 31 RMA to make it a function of regional councils and territorial authorities to ensure residential and business development capacity to meet long-term demand. s30(ba), p18 and s31(aa) p19



NPS, NES and Regulations

- Scope for NPSs to give more specific direction on regional and district policy statements and plans – s45A, p25
- Allowing NPSs and NESs to be developed for a specific area to address a local resource management issue that has national significance – s43(3), p24; 25, p 24.s45A(3), p25
- A combined process for developing NPSs and NESs – s55A, p27
- Allowing NESs to specify that councils may charge to monitor activities permitted by an NES – s43A(8)(a), p 25
- Enabling NESs to specify how consent authorities must perform their functions to achieve the standard – s43A(8)(b), p25
- Enabling council rules to be more lenient than an NES s43B(3), p25

NPS, NES and Regulations

- New regulatory making powers to:
 - Fix fees payable to hearings commissioner - s34B(4), p20
 - Prescribe new processes and criteria for imposing administrative charges – s36, p21-23
 - Require Council monitoring – s35(2AA), p21
 - Prescribe measures for the purpose of excluding stock from water – s360(1)(hn) , p57
 - Prevent and remove council planning provisions that duplicate the functions, or have the effect of overriding, other legislation s360D, p58-59
 - Prevent and remove council planning provisions that impose land use restrictions that are not reasonably necessary to achieve the purpose of the RMA s360D, p58-59
 - Permit certain land use activities - s360D, p58-59
 - Allow fast-tracking of applications for prescribed activities – s360F, p80
 - Prescribe notification of consent applications – s360G, p 80

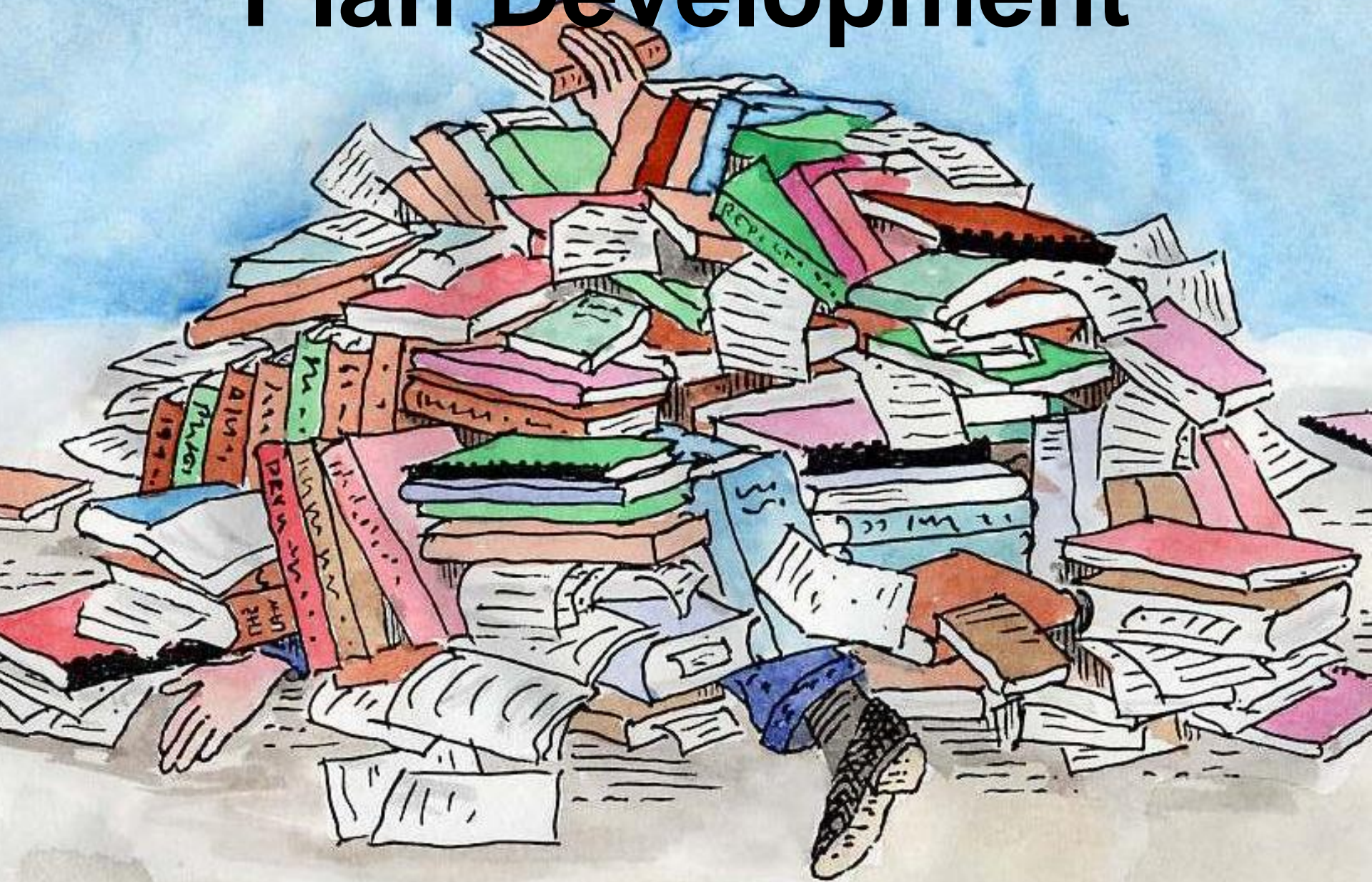
National planning template (NPT)

- Why a NPT – consistency, simplicity, user-friendliness – s58B, p28
- Content – s58C, p28
- Process for introduction – s58D-58J, p29-33
- Local authority recognition – s58H, P31-32

National planning template (NPT)

- Weight in RMA processes:
 - Plans - “Give effect to” – RPS, RP, DP
 - Resource consents – “have particular regard to” certain objectives and policies.
 - Proposals of national significance - NPT added
 - Designations and heritage orders – have particular regard to certain objectives and policies of NPT
 - Water conservation orders - have regard to certain objectives and policies of NPT
 - Section 293 review - NPT added
 - Declarations - NPT within scope of declaratory powers.

Plan Development



Plan Development

- Schedule 1 changes
 - Iwi involvement, limited notification, requests to change provisions made through collaborative planning process
- Collaborative planning process
 - Ministerial role, set up of collaborative group and process, limited appeal rights
- Streamlined planning process
 - Ministerial role and directions, process, limited appeal rights
- Iwi participation arrangements
 - Iwi authorities, agreements, monitoring, accountabilities

Consenting

- Boundary Activities – Section 87
 - Allow activities undertaken near a neighbour's property to be undertaken as a permitted activity provided certain information requirements are met and affected party approval from the relevant property owner is provided
- Activities meeting certain requirements – S87BB
 - At the discretion of a consent authority, an activity that would otherwise be permitted but for marginal or temporary non-compliance can be treated as a permitted activity provided:
 - Adverse effects on any person are less than minor; and
 - Any adverse effects are no different than they would be in the absence of the infringement

Consenting

- Notification – Section 95
 - Fast track applications have 10 working days for notification determination
 - More prescriptive approach to the preclusion of activities from public notification determination (e.g. boundary activities, subdivision and residential activities)
 - More prescriptive approach to limited notification including limiting who can be an affected person for certain activities

Consenting

- Fast track application – Section 360
 - Governor General given powers (by Order in Council) make regulations to prescribe certain activities, classes of activities, or methods for which a fast track application can be applied for
 - A controlled activity automatically qualifies as a fast track activity
 - A fast track application ceases to be so if it is notified or limited notified

Consenting

- Other key changes:
 - Insertion of Section 104(ab) – positive effects proposed to offset adverse effects to be considered in 104 assessment
 - Insertion of Section 108AA – conditions of consent are prohibited unless they are either agreed to by the applicant or are directly connected to an adverse effect and/or an applicable rule

Small Group

- 5 Topics
- Each group will have some to assist
- Appoint someone to write
- Questions to guide
- Record the comments
- Note group consensus or individual
- 25 minutes



Workshop summary Questions

**Change is accelerating
Be involved - Submissions**

- **RMA amendments**
- **Better Urban Planning**

