

RM Systems Review Opportunities



New Zealand
Planning Institute[®]
Te Kokiringa Taumata

Graeme McCarrison



RM System Reform workshop

- Purpose workshop
 - set the scene at a high level
 - stimulate thinking, content & ideas to assist with the NZPI submission
- Overview – Opportunities for Change paper
- National party Building NZ, RM & Housing discussion paper
- Quick fire comments – panellists thoughts on the paper, the sections of interest and/or solutions to them, any highlights and key outcomes
- Discussion – everyone, your chance to comment
- Next steps
- NZPI submission to the Panel; also informed via survey results, research

RMA

- **Innovative legislation**
- **Sustainable management**
- **Enable environmental health, social, economic & cultural wellbeing**
- **Integrate management**
- **Effects based**
- **Recognised Treaty obligations – values and participation**
- **Market focused – but with intervention**
- **Public participation**
- **Devolution**
- **New institutions**
 - Parliamentary Commissioner for the Environment
 - Ministry for the Environment
 - Department of Conservation
 - Environment Court
 - Reorganisation of Councils

Replace the RMA?

“The RMA is responsible for managing our built and natural environment, and it has been underperforming,”

“It costs too much, it takes too long and it has not protected the environment. That is not an acceptable outcome in a country that values the protection of the environment while properly housing our people.”

Hon David Parker, Minister of the Environment, 13 November 2019

“National will replace the Resource Management Act (RMA) and reform planning rules. The RMA has failed to deliver for the environment as well as this country’s infrastructure.”

Hon Judith Collins

National’s Housing and Urban Development, Planning (RMA Reform) Spokesperson

"I think we need to take it out the back and shoot it," she said. "Actually, that would be quite fun."

Hon Judith Collins July 2019

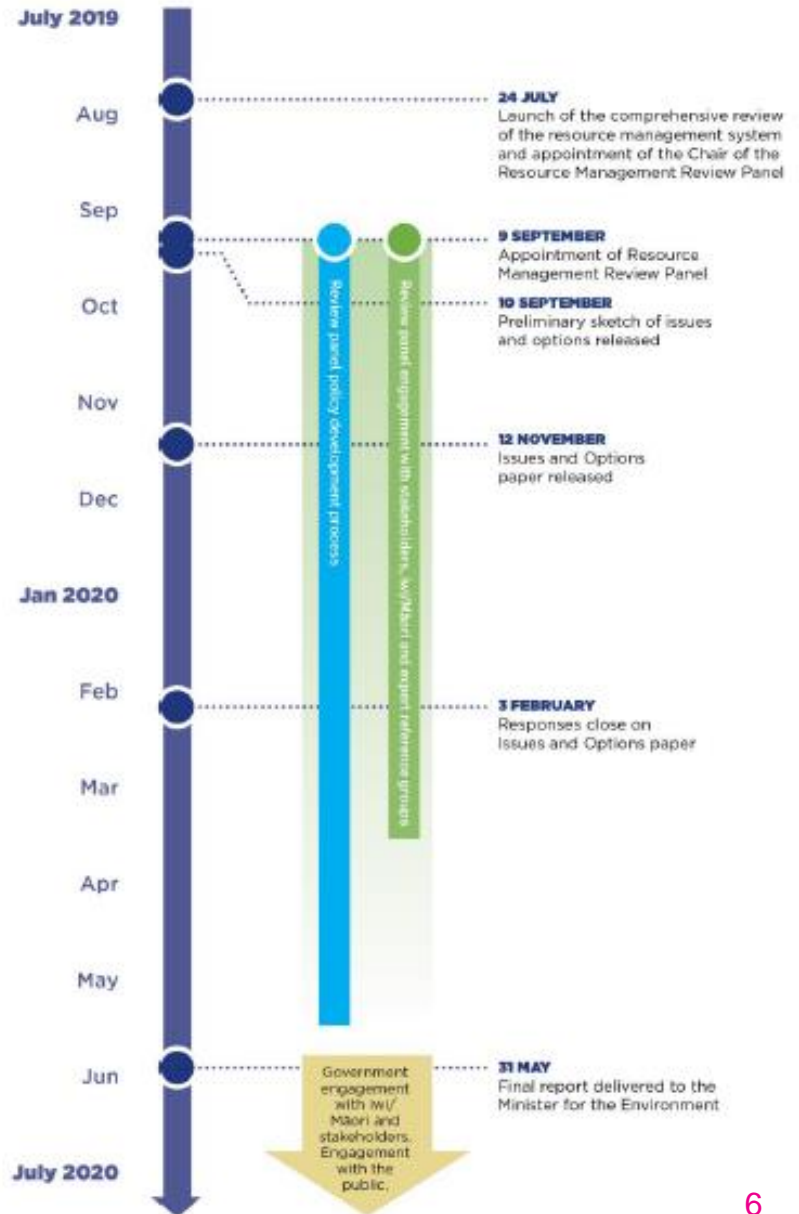
Challenges & opportunities

- Climate change
- Biodiversity & environmental decline
- Expanding Urban areas – struggling infrastructure capacity & funding, increasing traffic congestion, environmental pollution, lack of transport choice and flattening productivity growth
- Significant decrease in Housing affordability
- Rural production recognised as affecting the mauri of the water, human health & water but critical to New Zealand's current and future prosperity
- Treaty settlements been more successful in providing for Māori to become partners in decision-making about resources
- RMA lack of clarity about how it should be applied. Insufficient provision of national direction and implementation challenges in local government, clear environmental limits were not set in plans
- Too narrow a focus on managing the negative effects of resource use, rather than providing direction on desired environmental and development outcomes or goals
- Lack of effective integration across the RM system
- Inefficiencies, delays and additional costs. Furthermore, multiple plans and processes can make it difficult for the public and iwi/Māori to participate effectively
- Complexity, slow to change & multiple avenues to relitigate decisions
- New legislative amendments to address deficiencies have resulted in further misalignment between legislation.
- Suite of national direction is not yet cohesive & a lacking strategic programme
- Weak compliance, monitoring and enforcement, fragmented systems, insufficient monitoring and collection of data and information on the state of the environment
- Capacity and capability limitations within central govt & local authorities

RM Review Panel Process

- Conversation about the 14 issues
- Seek comments – 3 Feb
- On-going engagement iwi/Māori & stakeholders
- Expert reference groups –
 - Natural & rural environment
 - Urban & built environment
 - Teo ao Māori
- Report Minister for the Environment end of May 2020
- June 2020 on: Government engagement with iwi/Māori and stakeholders. Engagement with the public

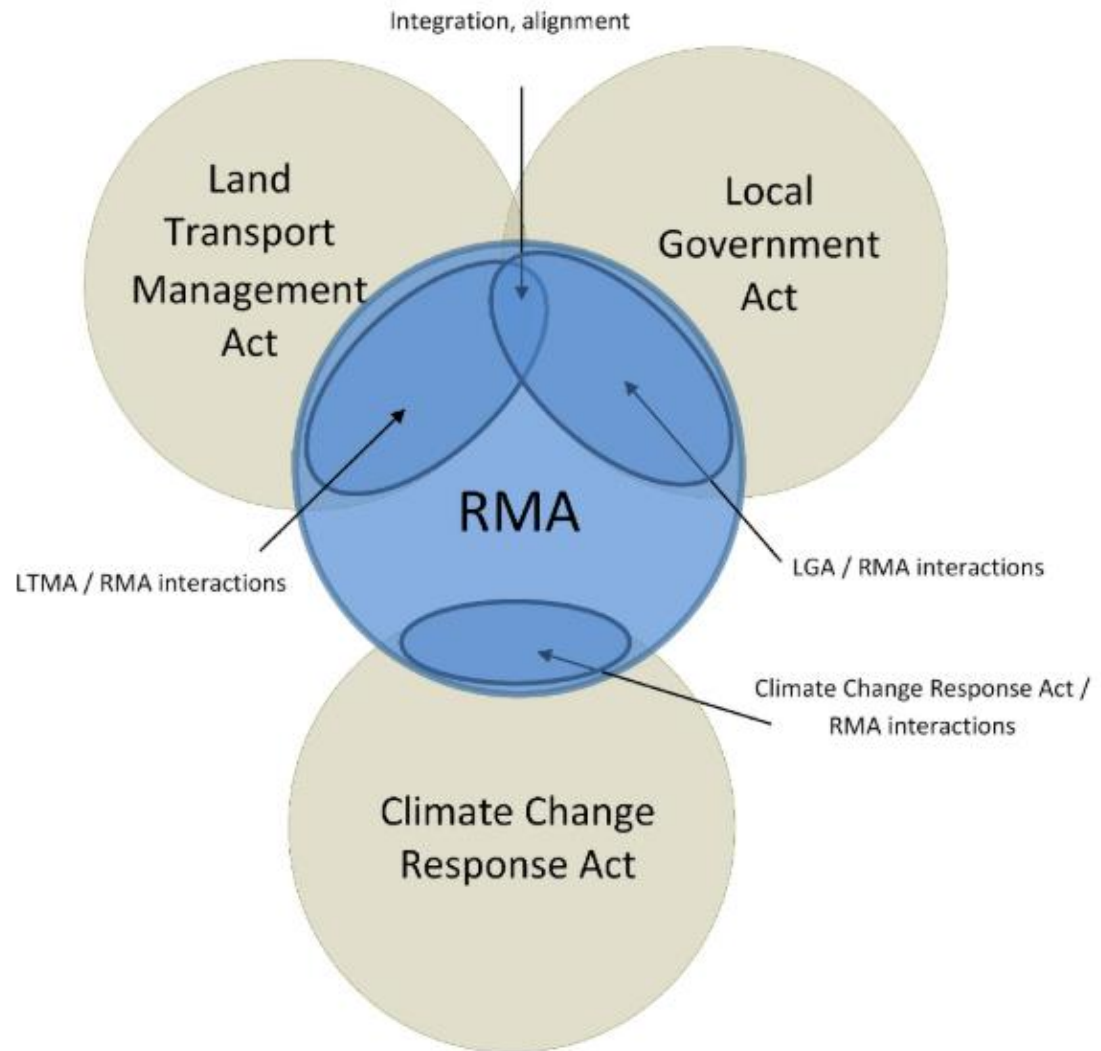
Timeline



Review Scope

Aim of the review is to improve environmental outcomes and better enable urban and other development within environmental limits.

- Prioritise setting the high level framework for an improved RM system
- Consider a new role for spatial planning
- Examining RMA functions and processes
- Roles of institutions
- Potential impact of and alignment with other relevant legislation (including the Building Act 2004 and Fisheries Act 1996), government programmes and regulatory reviews currently underway within the RM system
- Can recommend where further work needed to strengthen NZ's overall RM system



Related Govt programmes

- Kāinga Ora – Homes and Communities Act 2019, including the Government Policy Statement on Housing and Urban Development, which will provide the overall direction and government priorities for the housing and urban development system
- Resource Management Amendment Bill 2019
- Resource management and Crown relationship obligations in existing Treaty of Waitangi Settlement Acts
- Climate Change Response (Zero Carbon) Amendment Act (once passed), and directions to transition to a low emissions and climate-resilient New Zealand
- National Climate Change Risk Assessment, and implications for a future National Adaptation Plan
- Alignment of regulatory frameworks for natural hazards and climate change under the Community Resilience Group (cross-government programme)
- Urban Growth Agenda
- Review of Three Waters regulation: drinking water, wastewater and stormwater management
- Building System Legislative Reform Programme
- Strengthening Heritage Protection work programme
- Open ocean aquaculture project
- Productivity Commission Inquiry into Local Government Funding and Financing
- Existing RMA national direction and its implementation
- RMA national direction under development, including for: freshwater management, urban development, highly productive land, indigenous biodiversity, historic heritage & aquaculture
- Infrastructure Funding
- Water Services Bill

Environment of complexity

Statutes	Statutes cont.	Tools	Govt	Stakeholders
<ul style="list-style-type: none"> • RMA 1991 • Environment reporting Act 2015 • Biosecurity Act 1993 • Local Government Act 2002 • Local Government (Auckland Council) Act 2009 • Heritage Zealand Pouhere Taonga Act 2014 • Environment Protection Authority Act 2011 • Kāinga Ora–Homes and Communities Act 2019 • New Zealand Infrastructure Commission/Te Waihangā Act 2019 • EEZ Act 2002 • Waste Minimisation Act 2008 • Marine Reserves Act 1971 • Reserves Act 1977 • Conservation Act 1987 • Queens Elizabeth II National Trust Act 1977 	<ul style="list-style-type: none"> • Electricity Act 1992 • Gas Act 1992 • Land Transport Management Act 2003 • Building Act 1991 • Infrastructure (Amendments Relating to Utilities Access) Act 2010 • Energy Efficiency & Conversation Act 2000 • Housing Accords and Special Housing Areas Act 2013 • Climate Change Response (Zero Carbon) amend Act 2019 • Ozone Layer Protection Act 1996 • Marine Mammals Protection Act 1978 • Wildlife Act 1953 • Native Plants Protection Act 1934 • Continental shelf Act 1964 • Crown Pastoral Land Act 1998 • Civil Defence Emergency Management Act 2002 and National Civil Defence Emergency Management Plan 2015 • International agreements eg Paris Agreement 	<ul style="list-style-type: none"> • Treaty settlements • Regulations • NPS • NES • Planning Standards • RPS • Coastal Plans • Regional/Unitary/District Plans • Bylaws • Budget – Wellbeing context • Data and monitoring eg Environment Aotearoa 2019 • Enforcement tools eg fines • Spatial Plans, • Local Plans eg Long term and Annual, or Infrastructure • Consents • Water take permits • Coastal permits • Licenses eg exploration • Concessions on conservation land • New Zealand Heritage List • National Civil Defence Emergency Management Plan • National Disaster Resilience Strategy • Archaeological authority • Heritage covenants • National Guidelines eg Australian and New Zealand Guidelines for Fresh and Marine Water Quality • Local guidelines eg Urban design or subdivision • Awards • Research grants 	<ul style="list-style-type: none"> • MfE • MBIE • MHUD • MPI • MoT • EPA • Kāinga Ora • Treasury • DoC • Stats NZ • Heritage NZ • DIA • QEII Trust • Regional Councils • Local Councils • National Emergency Management Agency (NEMA) • Justice incl Environment Courts • Treaty of Waitangi Tribunal • NZ Police • Environment Commissioner • Independent Climate Change Commission • Crown Infrastructure Partners • Infrastructure Commission • New Zealand Utilities Advisory Group Inc (NZUAG) • NZTA • Transpower • Kiwirail • LINZ • Water Services Regulator • New Zealand Lifelines Council (NZLC) 	<ul style="list-style-type: none"> • New Zealanders • Mana whenua iwi/hapu • NZPI • Law Society, NZILA • RMLA • NIWA • GNS Science • ENA • TCF • EDS • Forest & Bird • Rural Sector • Fish & Game • Sustainable Business NZ • Infrastructure NZ • Water sector • Forestry Sector • Ports • Airports • First Gas/gas sector • Oil industry • Fishing industry • Water NZ • Heritage • Archaeologists • Etc

Global Risks Landscape 2019

Top 10 risks in terms of Likelihood

- 1 Extreme weather events
- 2 Failure of climate-change mitigation and adaptation
- 3 Natural disasters
- 4 Data fraud or theft
- 5 Cyber-attacks
- 6 Man-made environmental disasters
- 7 Large-scale involuntary migration
- 8 Biodiversity loss and ecosystem collapse
- 9 Water crises
- 10 Asset bubbles in a major economy

Top 10 risks in terms of Impact

- 1 Weapons of mass destruction
- 2 Failure of climate-change mitigation and adaptation
- 3 Extreme weather events
- 4 Water crises
- 5 Natural disasters
- 6 Biodiversity loss and ecosystem collapse
- 7 Cyber-attacks
- 8 Critical information infrastructure breakdown
- 9 Man-made environmental disasters
- 10 Spread of infectious diseases



Greta Thunberg

My name is Greta Thunberg. I am 16 years old. I come from Sweden. And I speak on behalf of future generations.

I know many of you don't want to listen to us – you say we are just children. But we're only repeating the message of the united climate science.



Around the year 2030, 10 years 252 days and 10 hours away from now, we will be in a position where we set off an irreversible chain reaction beyond human control, that will most likely lead to the end of our civilisation as we know it. That is unless in that time, permanent and unprecedented changes in all aspects of society have taken place, including a reduction of CO2 emissions by at least 50%.

<https://youtu.be/VFkQSGyeCWg>

Youth on Zero Emissions

- Year 13 environmental campaigner Mia Sutherland said the landmark climate change bill was "a great step forward". But the 2050 date is a farce
- A more realistic date is 2030, and that is what we are pushing for. I'd like to see 2025 ultimately, but it's not entirely practical."
- "We are an agricultural country – it would be unfair to ignore that. And it's an issue that will come back to all of us, how we can support farmers to make changes."
- Extinction Rebellion Ōtautahi spokesman Rowan Brook said the 2050 target "doesn't reflect the fact that we are in an ecological emergency".
- "How can it be 2050 to be zero carbon when the conservative UN gave us 12 years to avoid catastrophe? 2025 is very soon.
- Environment Canterbury (ECan) meeting on May 16, when councillors voted to declare a "climate emergency" after pressure from Extinction Rebellion Ōtautahi members



International <https://youtu.be/VNe-jBVij-g>

- 1992 “Earth Summit” produced the United Nations Framework Convention on Climate Change (UNFCCC) – 197 countries ratified
- 1995 Kyoto Protocol legally binds developed country to emission reduction targets - 192 countries ratified – commitment ends 2020
- 2015 Paris Agreement - central aim is to strengthen the global response by keeping the global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius. Enhanced support to assist developing countries to do so – 184 Countries
- 2019 Climate Summit UN - world leaders of governments, the private sector and civil society together to support the multilateral process and to increase and accelerate climate action and ambition



UN Sustainable Development Goals



C40 - Deadline 2020



DEADLINE 2020: PROCESS TO PATHWAYS

1 GLOBAL BUDGET (870-2100)

Emissions today:
C40 Cities: **2.4 GtCO₂e**
Global: **47 GtCO₂e**
Remaining global emissions budget to 2100:
387 GtCO₂e for 1.5 degrees
How much of this remaining budget should be allocated to C40 cities?

2.4
GtCO₂e

387
GtCO₂e

47
GtCO₂e

4 TARGET TRAJECTORY

Each city is assigned one of four per capita emissions reduction trajectory typologies based on their current emissions per capita and GDP per capita. The characteristics of these four trajectories are flexed to share the burden between cities and achieve rapid emissions reductions across cities.

Assign to C40 Cities

High GDP	Low GDP
High Emissions	Low Emissions
34	17
25	8

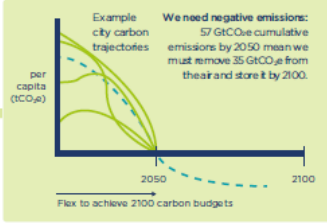
NUMBER OF CITIES

5 CLIMATE ACTIONS TO DELIVER TRAJECTORY

C40 – ARUP PARTNERSHIP CLIMATE ACTION PATHWAYS MODEL (2CAP)

The 2CAP model is used to investigate the actions required by cities, and the external factors (such as electrical grid decarbonisation) necessary to achieve each city's target trajectory.

What actions give a Target Trajectory?



CAPACITY
EQUALITY
RESPONSIBILITY

2 ESTIMATING THE C40 CITY SHARE OF THE BUDGET

CONVERGENCE AND CONTRACTION

Our chosen method for developing a "fair share" budget for the C40 cities. This takes into account the issues of:

Equality Responsibility Capacity

This budget is calculated by assuming cities' per capita emissions (and those of the rest of the world) converge linearly to a common value, then everyone declines to zero at a common rate depending on the remaining budget.

HOW DO C40 CITIES COLLABORATE?

C40 Share = 6% of Global Budget by 2100
22
GtCO₂e

3 C40 BUDGET

This method gives us a budget of 22 GtCO₂e, 6% of the global budget to 2100.

Now, how do C40 cities collaborate to ensure this collective budget is not exceeded?

34,000 ACTIONS IN PLACE BY 2030

ZERO CARBON ENERGY BY 2050

14,000 ACTIONS INITIATED BY 2020

-35GtCO₂e

NEGATIVE EMISSIONS REQUIRED BETWEEN 2050 AND 2100

WE MUST ACT NOW

See Appendix A for more detail, and associated Technical Report for full detailed methodology

Create Separate Landuse & Environment legislation?

- RMA created to provide broad integration of landuse planning and environmental protection.
- Been poor outcomes for both
- NZPI Members don't support split legislation

EDS – preferred model for system reform

- Merit in retaining the RMA or an integrated statute like it
- Retain the connections between Landuse and other environmental domains like water, air and soil
- Fundamental changes required
- Future Generations Act – higher level strategic Spatial planning implemented via RMA, LGA & Infrastructure Acts
- Creation of Futures Commission
- Keep targeted statutes

Source EDS Reform of the RM System – A model for the future, Synthesis report Dec 2019

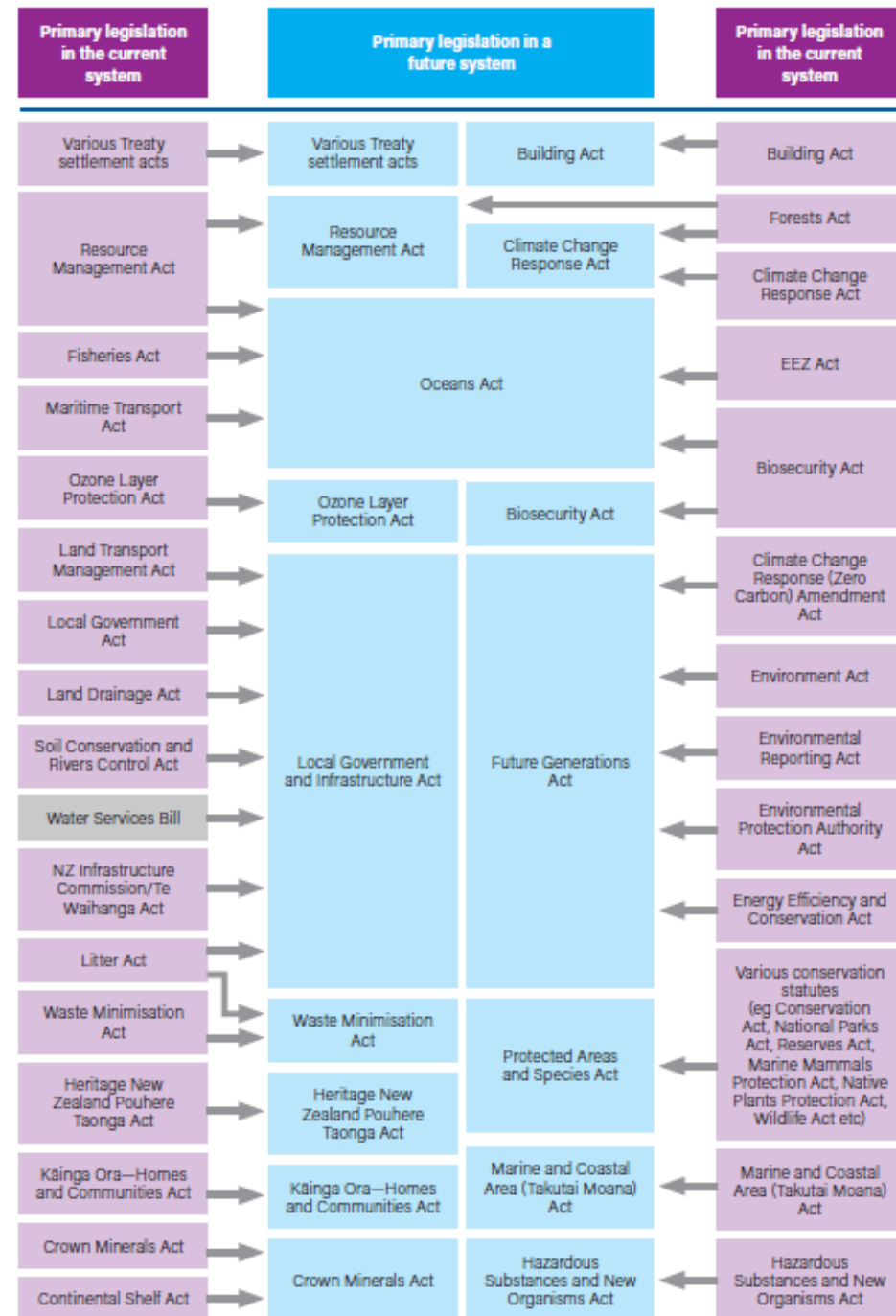
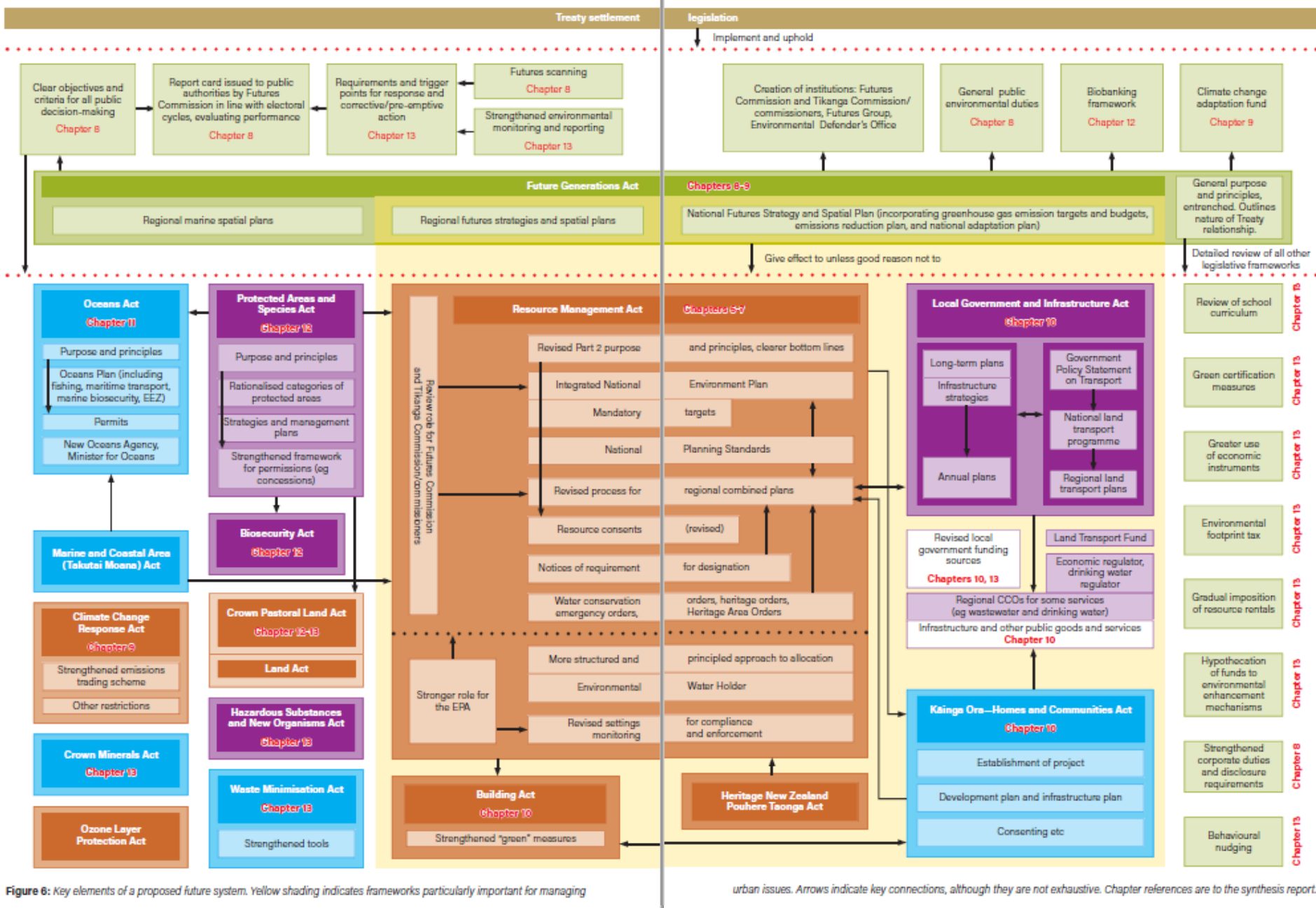


Figure 3: Legislative design: Statutes in the current and future system



Purpose & principles

- **Recognise te ao Māori – the Māori world**, eg
Te Mana o te Wai within the legal framework for managing freshwater resources.³³ Included within this is a hierarchy of management obligations:
 - i. The first obligation is to protect the health and mauri of nature.
 - ii. The second obligation is to ensure that the essential needs of people are met. This includes ensuring safe access to drinking water, and allowing for customary uses.
 - iii. The third obligation is to enable other consumptive use, provided such use does not adversely impact the mauri of nature.
- **More directive**
 - Reframe ss. 5, 6, 7 to more clearly provide for outcomes-based planning
- **Environment improvement?**
 - Strengthen ss. 5, 6 and 7 to more explicitly require environmental limits and/or targets to be set

Part 2

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.

6 Matters of national importance

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 recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;
- (e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;
- (f) the protection of historic heritage from inappropriate subdivision, use, and development;
- (g) the protection of protected customary rights;
- (h) the management of significant risks from natural hazards.

7 Other matters

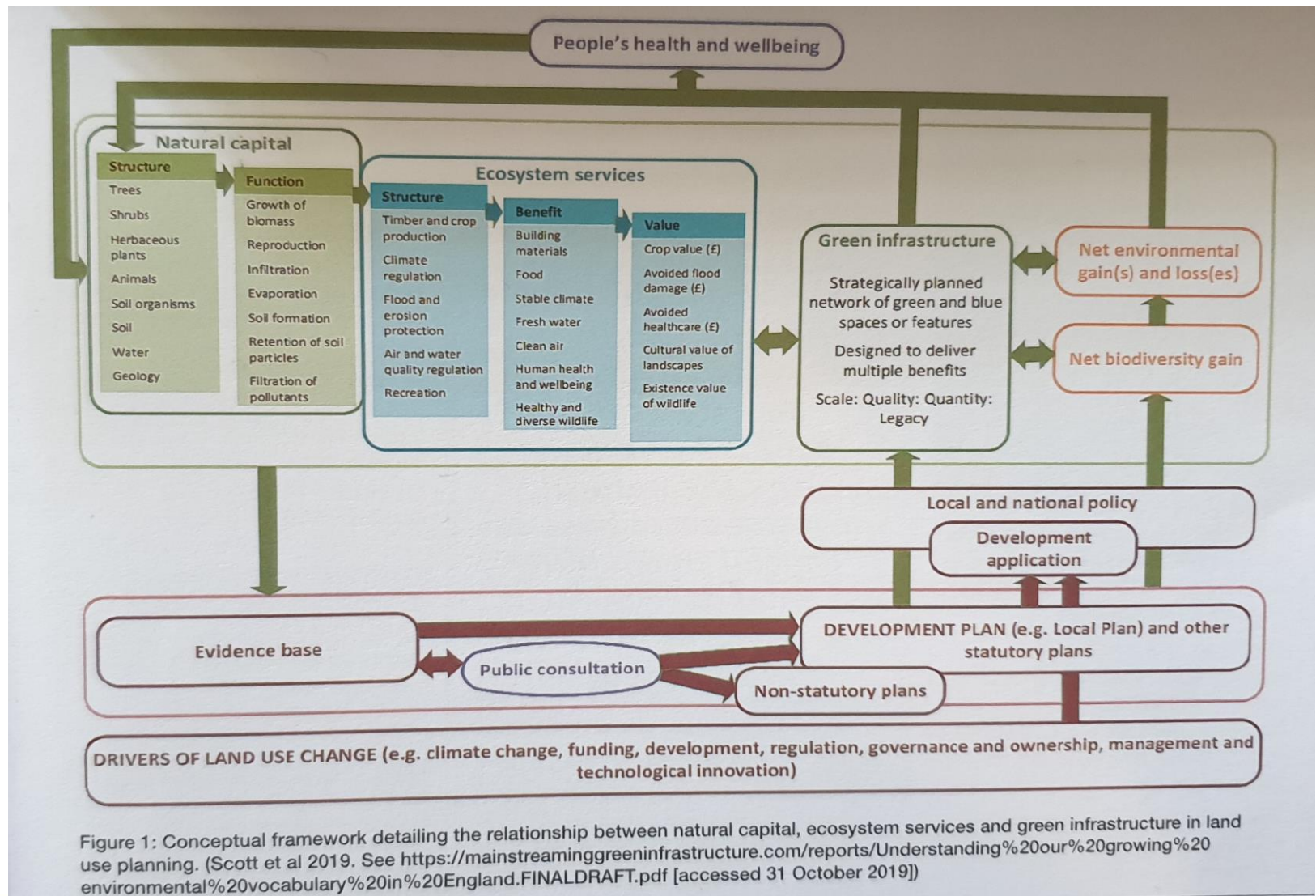
In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:
- (aa) the ethic of stewardship;
- (b) the efficient use and development of natural and physical resources;
- (ba) the efficiency of the end use of energy;
- (c) the maintenance and enhancement of amenity values;
- (d) intrinsic values of ecosystems;
- (e) *[Repealed]*
- (f) maintenance and enhancement of the quality of the environment;
- (g) any finite characteristics of natural and physical resources;
- (h) the protection of the habitat of trout and salmon;
- (i) the effects of climate change;
- (j) the benefits to be derived from the use and development of renewable energy.

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).

Ecosystem Science



Te Tiriti o Waitangi /the Treaty of Waitangi and te ao Māori

- Section 6, 7 & 8 relook at the hierarchy or total rewrite?
- Address the “**Ignore or Diminish**” behaviour/practice
- The Waitangi Tribunal notes “it is disappointing that the RMA has almost completely failed to deliver partnership outcomes in the ordinary course of business when the mechanisms to do so have long existed” Waitangi Tribunal, *Wai 262 Inquiry: Ko Aotearoa Tēnei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity*, 2011
- Treaty settlements over the last 25 years have developed new approaches and arrangements for management of resources and enabled some iwi to engage more fully in the resource management system
- Developing new approaches and improved partnership arrangements
- Increase use of mātauranga Māori. Examples include the Independent Māori Statutory Board in Auckland, and the Environmental Protection Authority’s (EPA) statutory Māori advisory committee, Ngā Kaihautū Tikanga Taiao
- Funding for participation, building understanding, develop capability and capacity
- Audit of performance eg Alk Statutory Board
- Meaning of iwi authorities and hapū

Strategic integration (Spatial Planning)

- Create an overarching strategic integrated planning statute across LGA, Transport, RMA?
- Spatial planning
 - What definition/Scope – housing and growth only or full climate change – mitigation or adaption, environment protection
 - National, Regional, Local level?
 - All regions or just growth or
 - Legal weight
 - How to get relevant?
- Who's responsible
- Designations alignment to Spatial plans?

Scotland Planning Reforms

A high quality planning system is essential to create quality places with the homes, infrastructure and investment that people need.

Improving Scotland's planning system by 2021:

- strengthen the contribution planning can make to inclusive growth, to delivering housing and infrastructure and to empowering communities
- system needs to change to respond to a changing world, including the part planning must play in addressing climate change and ensuring communities are sustained and supported

National Planning Framework

The outcomes are—

- a) meeting the housing needs of people living in Scotland including, in particular, the housing needs for older people and disabled people,
- b) improving the health and wellbeing of people living in Scotland,
- c) increasing the population of rural areas of Scotland,
- d) improving equality and eliminating discrimination,
- e) meeting any targets relating to the reduction of emissions of greenhouse gases, within the meaning of the Climate Change (Scotland) Act 2009, contained in or set by virtue of that Act, and
- f) securing positive effects for biodiversity.”.

Climate change and natural hazards

- RMA currently has a limited role in climate change mitigation – further enhance
- Climate Change Response Act (CCRA) is the main framework for reducing greenhouse gas emissions (mitigation), and assessing and responding to risks from a changing climate (adaptation)
- Create a more permissive regulatory approach for certain activities that are necessary to facilitate a transition to a low emissions economy, such as forestry and renewable energy development?
- National direction & research/modelling risk to inform planning decision
- New planning tools – dynamic adaptive planning pathways
- NES on controls – carbon emissions
- National directions on efficient urban form

Adapting to Climate Change in NZ

Technical working group recommends New Zealand must:

- anticipate change and focus on preventing future risks from climate change rather than responding as the changes occur
- take a long-term perspective when acting
- take actions which maximise co-benefits, and minimise actions which hinder adaptation
- act together in partnership, ara whakamua, and do this in a way that is based on the principles contained in the Treaty of Waitangi
- prioritise action to the most vulnerable communities and sectors
- integrate climate change adaptation into decision-making
- make decisions based on the best available evidence, including science, data, knowledge, and Mātauranga Māori
- approach adaptation action with flexibility and enable local circumstances to be reflected



Source

<https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/ccatwg-report-web.pdf>

National direction

- RMA was setup on the expectation of National Direction
- Critical and mandatory – funded
- Beyond the Govt's programme
- Integrated with priorities, comprehensive
- Risks – political, funding,
- Faster to effect change
- Respect significant local

Policy and planning framework

- National direction – further development of Planning Standards – more content
- Beyond national direction – Quality Plans and planning making process
- Move to “outcomes” focused plans – certainty of what permitted
- Research – national data & modelling?
- Participation – sense of ownership
- Single Stage Hearing process
 - Robust first hearing
 - Independent panels with wider powers e.g. Alk & Christchurch – final decision-maker
 - Greater govt (MfE) oversight – approve draft plans; appointment of commissioner?
 - Plan changes – direct to Environment Court
 - Expand ability to restrict private plan changes
- Funding & assistance from govt?

Designations

- Critical tool – future focused supports National Spatial Planning
- Specialist area of planning – lift to national level
- Process at the National level - EPA
- Specialist hearing panel
- Single hearing process no appeals except to High Court on points of laws
- Trust the industry – very technical
- Resolve conflicts in RMA and NES
- Simplify designation and related consenting process
- Reduce the costs
- Review the Public works Acts

Consent/approval systems

- Pre-application
- Experts
- Focus on permitted – clarity of development rights
- Technically – online consenting
- Better tailored to the scale of environmental risk and impact
- Consent processes at the national, regional and district levels be improved to deliver more efficient and effective outcomes while preserving appropriate opportunities for public participation
- Simplify notification decisions by:
 - notifying all activities, but removing automatic requirements for hearings and appeals, or
 - requiring that plans specify the activities that must be notified, or
 - more clearly defining who is an “affected party” or when “special circumstances” that require notification would apply
- Role of certificates of compliance
- Review and variation of consents and conditions
- Culture

NIMBYism



Participation
Right to litigate
Uncertainty
Cost & time



Economic instruments

- Economic instruments currently provided for under the RMA include financial contributions, administrative charges, bonds and resource rentals for sand, shingle, geothermal energy and coastal space
- Is the RMA the appropriate legislative vehicle for economic instruments
- What role should economic instruments and other incentives have in achieving the identified outcomes of the resource management system
- Expand to a broader range of economic tools to support the resource management system such as emissions taxes, tradable emissions permits, transferable development rights, tools for environmental offsetting, and congestion charges
- National direction and guidance on use of economic instruments

Allocation

- What role in allocation should the RMA have?
- Should there be a distinction in the approach taken to allocation of the right to take resources, the right to discharge to resources, and the right to occupy public space?
- Retain or modify the first in first served principle
- Provide for new resource allocation methods and criteria to be developed nationally or locally
- Consider the role of specific tools in resource allocation such as spatial planning, transferable rights, tendering or auctioning
-

System monitoring and oversight

Insufficient monitoring and collection of data and information on the state of the environment and on the performance of the resource management system – informed decision making

- Greater oversight and monitoring by central government (for example, the Ministry for the Environment, the Environmental Protection Authority or a new agency) supported by Stats NZ
- Strengthen independent oversight and review (for example, by extending the role of the Parliamentary Commissioner for the Environment to include an audit function)
- System with flexible, theme-based commentaries
- Develop an outcomes monitoring system that is culturally appropriate and recognises mātauranga Māori
- Funding, capacity
- National systems and modelling and sharing data, analytics & recommendation
- Involve the public – citizen science projects

Environmental Data

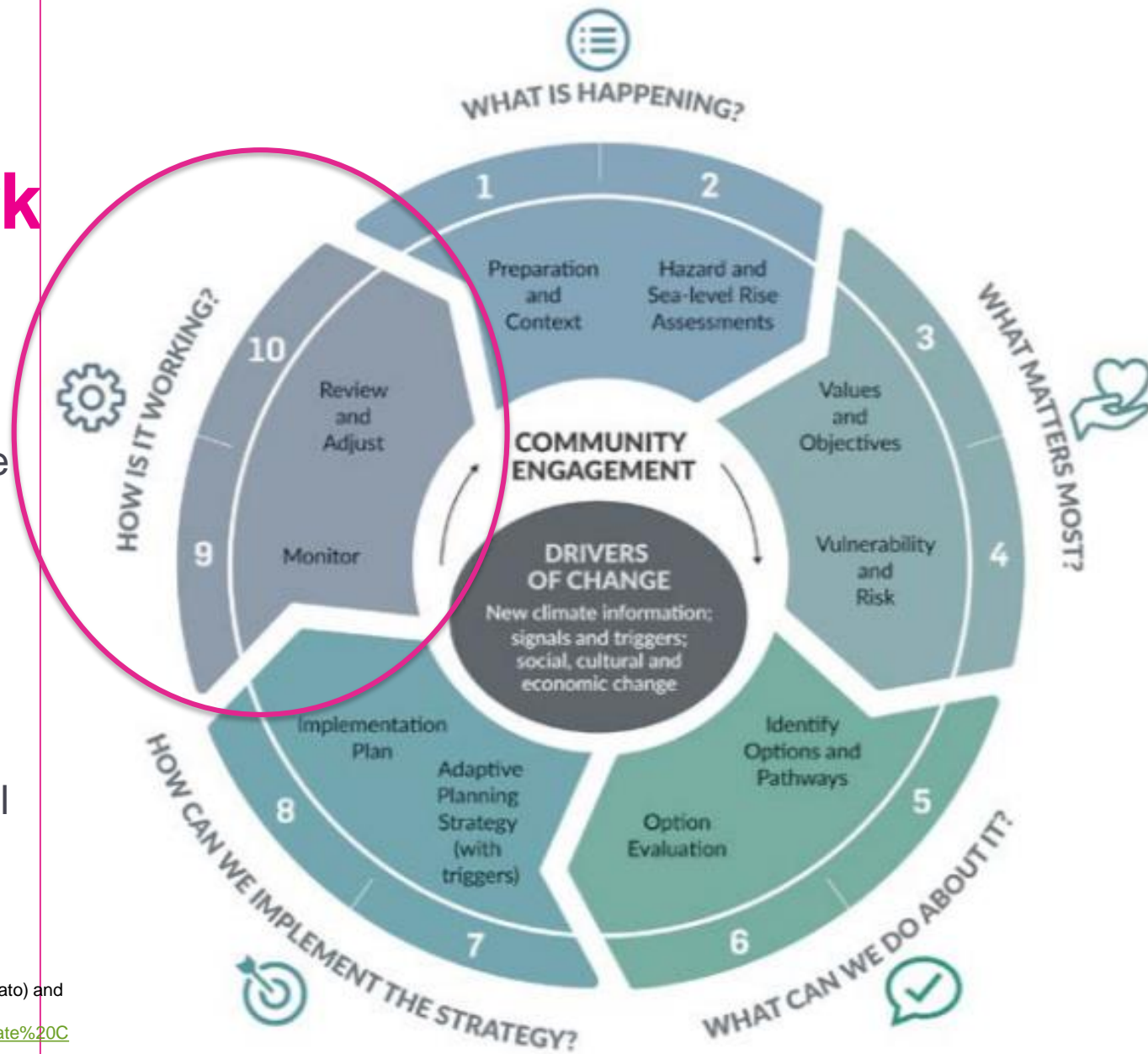
Environment Commissioner Simon Upton says 'huge' gaps in data and knowledge undermine our stewardship of the environment and is calling for concerted action to improve the system. 07 November 2019

- Commissioner recommends amending the Environmental Reporting Act as follows:
 - Adding a clearer purpose
 - Establishing a standing science advisory panel
- Developing core environmental indicators to form the backbone of reporting
- Focusing the system on what matters – retaining state of the environment reports and replacing domain reports with flexible, theme-based commentaries
- Requiring a formal response from the Government to state of the environment reports.
- Adjust the roles of the Government Statistician and the Secretary for the Environment.
- Develop a comprehensive, nationally coordinated environmental monitoring system



Planning Framework

A structured around an iterative 10-step framework. It is made up of elements to secure and implement a long-term strategic planning and decision-making framework for coastal areas



Source: Adapted from Max Oulton (University of Waikato) and UN-Habitat (2014)
<https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/coastal-hazards-guide-final.pdf>

Environment

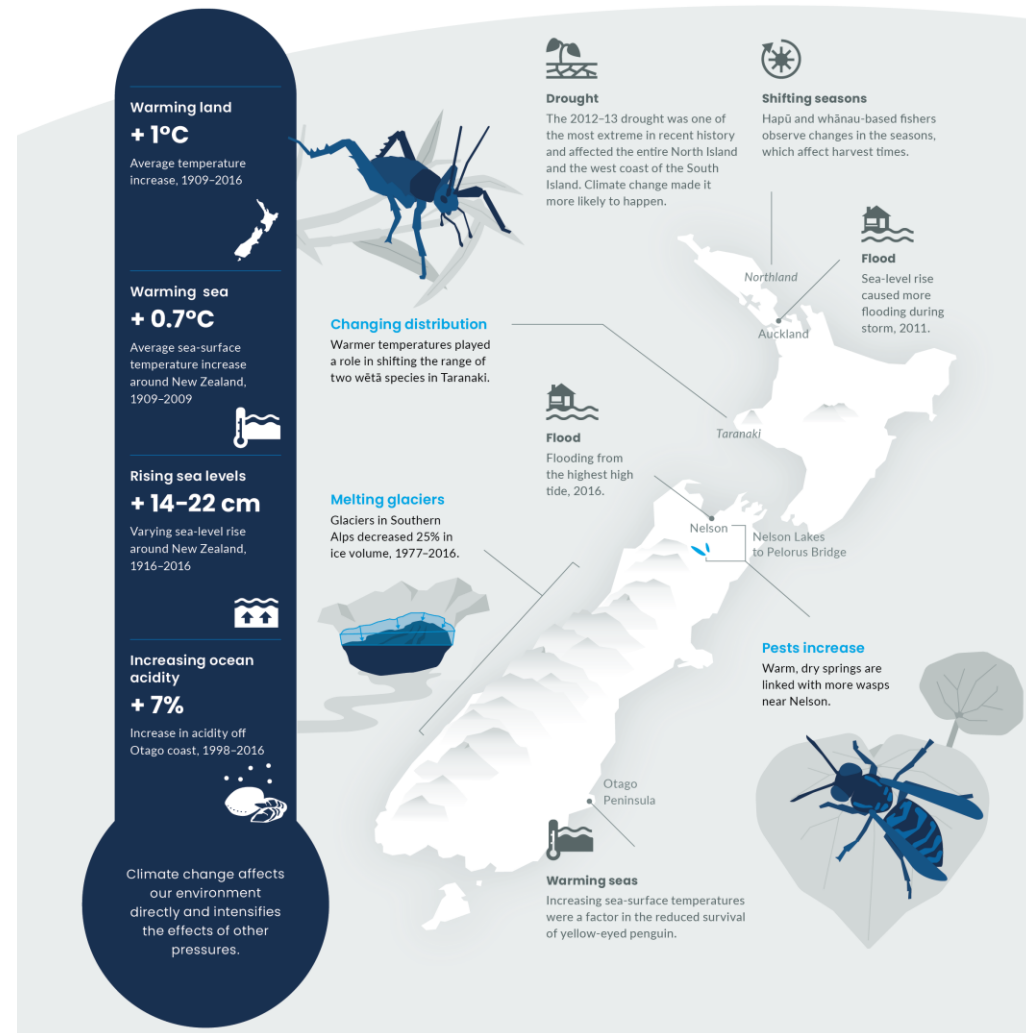
Aotearoa 2019

- Changes to our climate are already being felt in our land, freshwater, and marine environments.
- We can expect further wide-ranging consequences for our culture, economy, infrastructure, coasts, and native species.
- Higher land and sea temperatures, sealevel rise (14–22 centimetres in the last century), ocean acidification, more sunshine, and melting glaciers (our glaciers have lost 25 percent of their ice in the past 40 years)

► Impacts of climate change

Relatively small changes in our climate can have big effects on our ecosystems.

CHANGES ARE ALREADY AFFECTING NEW ZEALAND



Compliance, monitoring & enforcement

Resources and tools for CME operations are highly variable across the country. Enforcement is expensive and outcomes may be uncertain. In some regions and many districts, CME resourcing is too low. In most councils, consent conditions are not monitored.

Large number of small local government agencies has created a fragmented system, with operational and jurisdictional overlaps

- Who should have institutional responsibility for delivery and oversight of these functions?
- Progress institutional changes for delivery of CME functions:
 - retain devolved system with stronger support, guidance, and performance monitoring from central government
 - provide for central and/or regional oversight/delivery of enforcement functions
 - provide for escalation of enforcement matters to a central agency, such as the EPA
- Provide for strengthened statutory powers and penalties, including for where non-compliance has resulted in or been motivated by commercial gain
- Provide for improved cost recovery of CME functions (including permitted activity monitoring and investigation of unauthorised activities)
- Consider the role of restorative justice in enforcement processes
- Establish improved data gathering and reporting processes

Institutional roles & responsibilities

- Design the roles and responsibilities to support the amended legislation
- Institutions with a role/interest in environment is expanding
- Role clarification - council controlled organisations and development agencies, iwi and hapū, heritage protection authorities and regional public health authorities.
- Funding
- Opportunities
- Pooling resources within central & local govt
- Combined decision making regional & district
- Independent hearing panels
- Expanded role of Justice – E court, commissioners
- Strengthened independent oversight – Commissioner for the Environment

Reducing complexity across the system

- Constant tinkering with the system has added complexity and generated uncertainty
- Decision-making processes and practices are time consuming and costly – should this is objective to reduce complexity and cost
- What other changes should be made to the RMA to reduce undue complexity, improve accessibility and increase efficiency and effectiveness
- What changes required to address issues in the interface of the RMA and other legislation beyond the LGA, LTMA
- Future changes and amendments – be road tested by independent panel of the profession

Nationals Discussion Paper

- Replace the RMA and reform planning rules – Splitting development and environment
- Failed balance development and environmental issues
- Major impediment to affordable and timely housing
- Costs consents
- Borrowed the ideas from EDS, Scotland, Queensland, South Australia
- Government should take the lead on planning nationally significant infrastructure projects like roading, rail, electricity, telecommunications and water
- Use of national or state plans
- Document is open for feedback

Panel Discussion

Questions

- Can RM System reform occur without Govt commitment
institutional reform, significantly increased budget to support
improved capacity and capability
- Culture of Planning – what more needs to change
- What should the NZPI be doing?
- What can you do? Provide ideas to NZPI by Friday 17 Jan
- Lodge a submission – 3rd Feb 2020
- Feedback on the National party discussion document