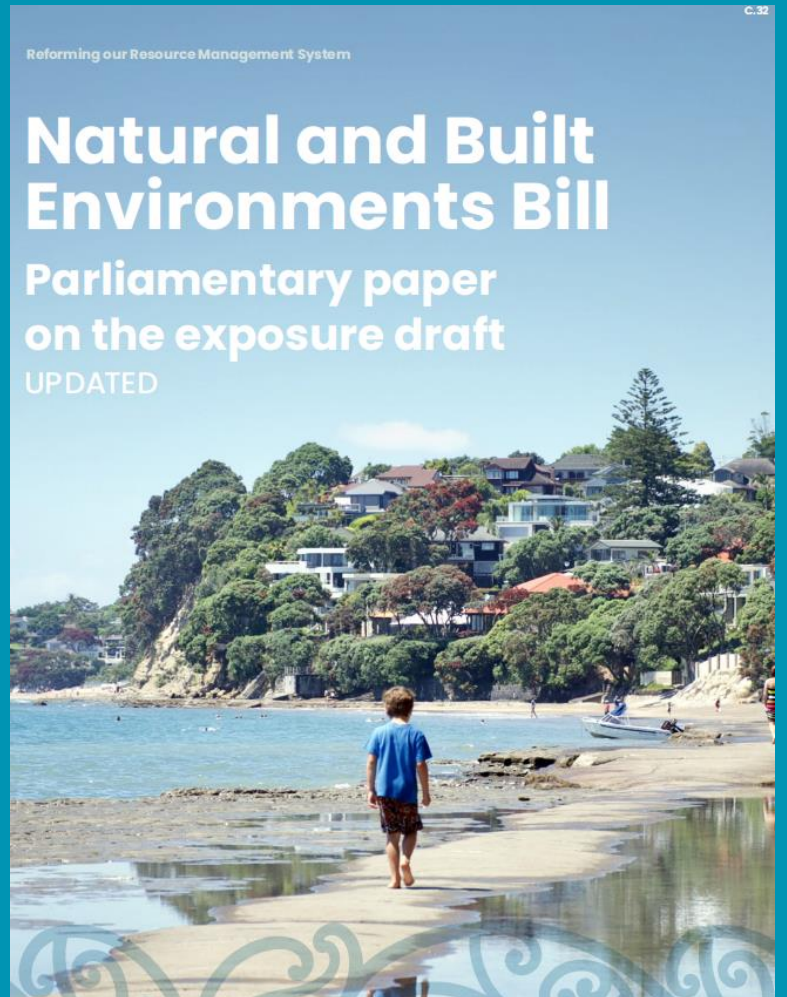


# ***Natural and Built Environments Bill – Exposure Draft***

*Council Briefing  
20 July 2021*



# RM Reform Timeframes

February – April 2021

Limited direct consultation/engagement with stakeholders.

June – September 2021

NBA exposure draft considered by the special select committee. Bulk of consultation and engagement occurs.

November 2023

End of the current Government's term

June 2021

NBA exposure draft presented to Parliament and referred to special select committee inquiry.

Early 2022

NBA Bill introduced to Parliament. It will then be subject to the standard legislative/Select Committee process.



# *Proposing to replace RMA with 3 new pieces of legislation*

## Climate Adaptation Act (CAA)

Will support New Zealand's response to the effects of climate change by supporting the climate change adaption efforts of councils.

## Natural and Built Environments Act (NBA)

Direct replacement  
for the RMA.



## Strategic Planning Act (SPA)

Will provide a strategic and long-term approach to how we plan for using land and the coastal marine area.

# 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 NPF

## 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 NPF 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. Contain 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

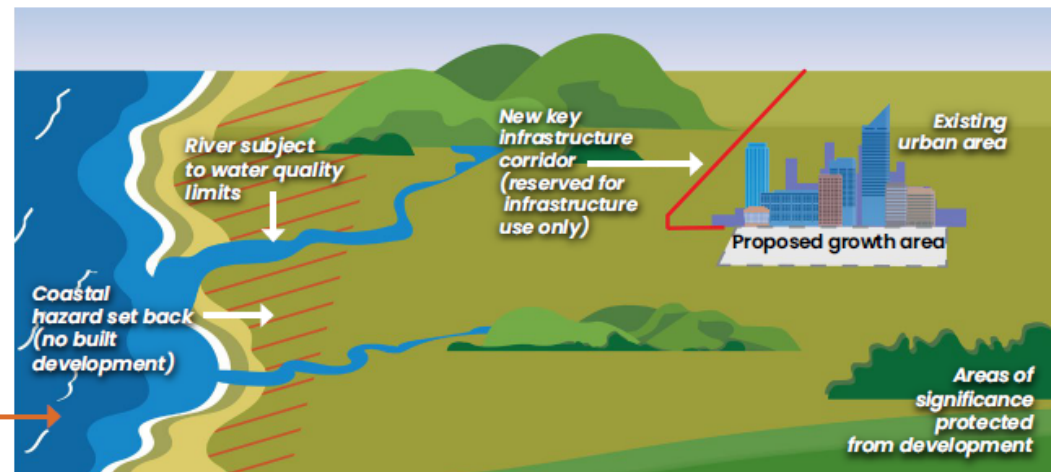
Climate Change Response Act

Local Government Act

Land Transport Management Act

## Long-Term Regional Spatial Strategy

Jointly developed by local government, central government and mana whenua



Climate Adaptation Act



RSS translated into plan provisions

## Local Government funding mechanisms

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



Implementation agreements

## Central Government funding mechanisms

Implementation of plans

# Four parts of NBA released

## Part 1

Introduction and  
Interpretation

## Part 2

Purpose and  
related provisions

## Part 3

National Planning  
Framework

## Part 4

Natural and Built  
Environments Plan

# ***Purpose and Key Objectives of NBA***

- Protect and restore the natural environment for future generations.
- Better enable development within environmental biophysical limits.
- Give effect to the principles of Te Tiriti o Waitangi.
- Better prepare for adapting to climate change and risks from natural hazards.
- Improve system efficiency and effectiveness, and reduce complexity.

# National Planning Framework



Minister to  
create but the  
process not  
yet determined



Must help resolve  
conflicts



Must direct  
*certain*  
environmental  
outcomes



*May* prescribe  
environmental  
limits *or*  
delegate to  
planning  
committees to  
determine



Must be given  
effect to by  
plans and  
regional spatial  
strategies



# National Planning Framework

*The **purpose** of the NPF is to provide **integrated direction***

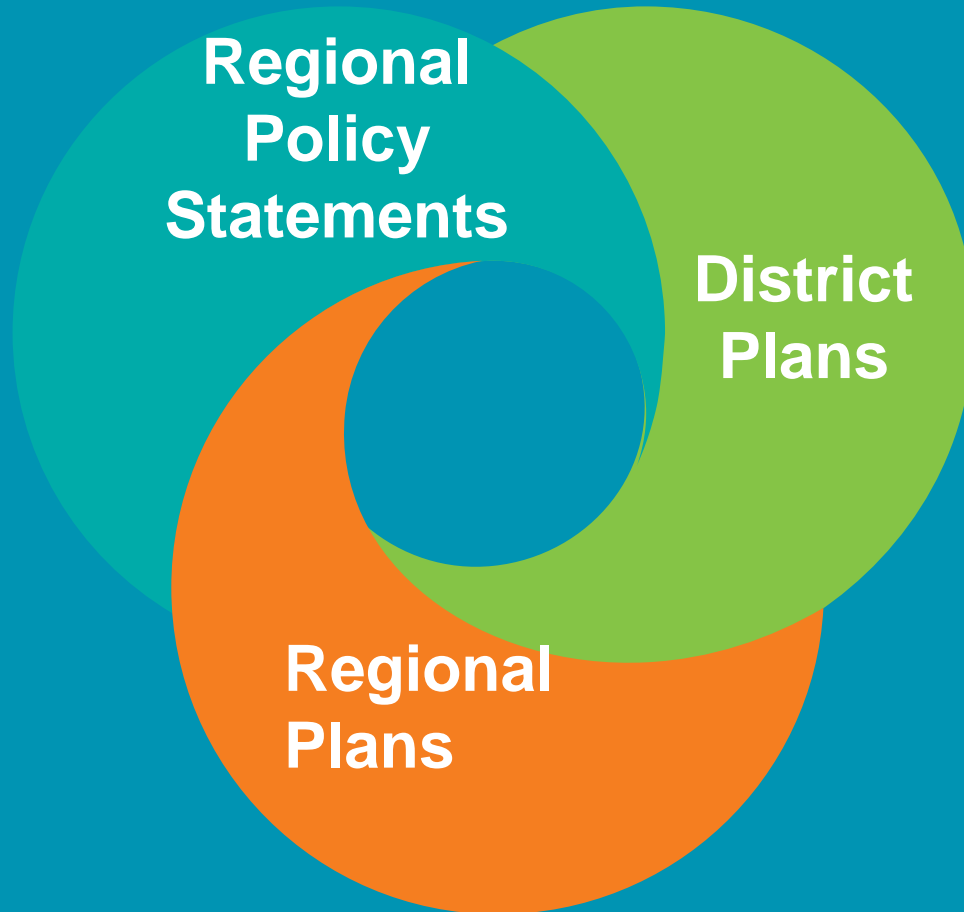
*The NPF must direct particular outcomes*

*Strategic directions to be included*

## Matters which must be directed in an NPF

- Air, freshwater, coastal waters, estuaries and soils quality
- 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





# Natural and Built Environment Plans

# Planning Committees



## Key functions

To make and maintain a plan, approve or reject recommendations from an Independent Hearing Panel and set environmental limits, where authorised by the NPF.

## Membership and support still being developed

Size and scope, local authority membership, mana whenua membership, and legal status are still unknown.

## Considerations relevant to decision making

Have regard to cumulative effects, technical evidence, and effects. Must apply the precautionary approach.

# *Aspects not included in Exposure Draft*

- Process to develop National Planning Frameworks
- Consenting
- Existing use rights
- Compliance, monitoring and enforcement
- Designations and heritage orders
- Subdivision
- Transitional provisions
- provision for urban design, including urban tree cover
- The functions and roles of regional councils and territorial authorities
- SPA and CAA details



# Key Takeaways

- Consolidating Plans
- Stronger Central Government Direction
- Changes to Plan Making Process
- Environmental Limits / Environment Bottom Lines
- Recognition of te ao Māori and Te Tiriti o Waitangi

# Select Committee Terms of Reference

- Provide feedback on the exposure draft;
- Provide feedback on the material in the parliamentary paper that provides rationale for the clauses in the exposure draft; and
- Collate a list of ideas for making the new system more efficient, more proportionate to the scale and/or risks associated with given activities, more affordable for the end user, and less complex compared to the current system.

# Issues / Submission Points?

We propose to leverage off sector submissions with a focus on key points of difference/relevance for WDC. These could include:

- Logistical / practical implications
- Shift away from localised decision making
- Effective participation of mana whenua
- Interactions with other legislation
- Conflicting approach to resource management
- Practical implications of environmental limits
- Further guidance needed on management of amenity values
- Resourcing needed for successful implementation