

# **Ministry for the Environment presentation to Ara Tahi at Greater Wellington Regional Council, 24 November 2004**

## ***Package to improve the Resource Management Act 1991***

### **Purpose of presentation**

We will outline the package to improve the Resource Management Act (**RMA**). We will also outline how the package was developed; what the next steps and timeframes are; and how you can participate in the legislative process. You may already be familiar with these things, and may simply want to discuss them.

A summary is provided below.

### **Background to the RMA review**

The Associate Minister for the Environment announced on 12 May 2004 that the Government was going to review the RMA. The review was led by a group of nine Ministers.

### **The Government sought to find practical solutions to key problem areas:**

- imbalance in achieving national and local interests in sustainable development,
- poor design and process of local plan making,
- inconsistent, uncertain, costly and lengthy consent decision making process,
- inefficient allocation or lack of allocation mechanisms for natural resources,
- practice and capacity limitations of some local authorities, and
- public concern and frustration.

### **The objectives of the review were to:**

- enable central government to better express the national interest so as to provide decision makers with clear guidance on how to take these matters into account,
- improve the effectiveness of planning documents, and enable their timely development,
- enable consent processes to be undertaken in a manner that is effective and efficient, and that provides certainty of process for applicants while ensuring appropriate public participation and the meeting of environmental objectives,

- provide certainty over the allocation of natural resources,
- further improve the implementation of the RMA by local authorities and ensure that decision-making is of a high quality, and
- improve public and user awareness of the RMA and its processes.

On 13 September Cabinet approved a package to improve the **RMA**.

### **General RMA package**

**The package developed addresses problems areas by proposing, in summary, to:**

- develop more national policy statements and national environmental standards, to provide direction to decision makers under the **RMA**,
- simplify the content and process of developing plans and policy documents under the RMA (at the council level),
- strengthen council level decision making and hearings. For example, so that decision makers are better trained to make decisions, and can better test the evidence,
- ensure that the Environment Court focuses on the contentious issues when hearing appeals – rather than going through evidence already heard at the council hearing the first time.
- enable regional councils to look at how well resource consent holders have performed in considering their applications to renew consent to use a natural resource,
- have the Ministry for the Environment provide support to improve capacity and practice in implementing the **RMA**, and
- improve iwi consultation and resource planning.

### **Parts of the package relating to iwi**

**Parts of the package relating to iwi, that do not require legislative change, include:**

- training of councilors and commissioners on such things as hearings, Part II provisions relating to Maori, and concepts relating to Te Ao Maori. This training is part of the ‘Good Decision Makers Programme’.
- providing guidance on iwi engagement and iwi capacity building.

**Parts of the package that will require legislative change include:**

- enabling local government and iwi authorities to enter into arrangements for co-management, that would, for example, provide for joint decision making. Provision for co-management will build on existing examples, such as Ngai Tahu's arrangements for Te Waihora/ Lake Ellesmere.
- requiring a clear process for central government to consult iwi during the development of national instruments, such as national policy statements and national environmental standards (under the RMA).
- clarifying requirements for local government to consult iwi authorities upfront when developing plans and policy documents under the **RMA**.
- having consulted iwi authorities on plans and policy documents in the required way, then there will be a change in consultation requirements with Maori on resource consents and other applications. Maori will be considered in the same way as other parties who are potentially adversely affected by an application for consent.
- requiring local authorities to keep a register of iwi authorities, including information on their contact details, their rohe, and a list of iwi authority planning documents. This information will help people know who to consult and what iwi authority planning documents are on hand for information. Te Puni Kokiri will help compile information for the register.

For more information on the **M A** package see [www.rma.govt.nz](http://www.rma.govt.nz)

**Next steps**

We expect the Bill with proposed legislative changes to be introduced to the House in mid November 2004. Select Committee is likely to call for submissions on the Bill during December 2004 and January 2005.

We encourage you to get to know the RMA package (and the Bill once introduced). We also encourage you to make a submission to Select Committee on the Bill. More information on the Select Committee process can be found on <http://www.clerk.parliament.govt.nz/Programme/Committees/Submissions/>