

MEMORANDUM



To:

Chair and Councillors

From: Fiona McTavish
General Manager, Strategy & Science

Date: 14 November 2016

File Ref: 7.00156

Subject: **Resource Legislation Amendment Bill: progress**

The purpose of this memorandum is to inform Councillors of recent movement of the Resource Legislation Amendment Bill through the Parliamentary process.

1 **Background**

The Resource Legislation Amendment Bill was introduced to Parliament last December. The Bill proposes comprehensive amendments to six Acts and is 180 pages long. It was referred to the Local Government and Environment Committee and attracted over 750 written submissions which were heard from April to June. The select committee had been granted an extension in August to move its report back date to 7 November 2016. Opposition parties last week refused an extension of the committee report back date beyond 7 November, so it was reported pro-forma which means that the Bill is unchanged from when it was introduced. This hasn't happened for at least eight years.

2 **Bill content**

According to Environment Minister Dr Nick Smith, the significant provisions in the Bill include:

- National planning standards to reduce complexity and cost
- Streamlined planning process to improve responsiveness
- Discretion for councils to exempt an activity from consents
- Strengthening of requirements to manage natural hazard risks
- New 10-day consent category for minor activities
- New requirements for councils to free up land for housing
- New provisions to enable stock exclusion from waterways
- New provisions requiring decommissioning plans for offshore platforms
- More generous compensation for land required for public works
- Better alignment with other Acts like Reserves, Conservation and Exclusive Economic Zone
- Collaborative planning process to encourage community-led solutions
- Improved Maori participation arrangements.

3 **Next steps**

An agreement on policy issues relating to improved iwi participation has been reached between National and the Māori Party. This has been achieved through including the Mana Whakahono ā Rohe/Iwi Participation Arrangement in the Bill. This enables iwi and councils to enter into agreements on how iwi can be involved in resource management processes so as to ensure the iwi perspective is heard and understood. Many councils

already have these agreements through Treaty settlements or good practice. The agreement will enable the Bill to pass its second and third readings.

On Thursday 10 November 2016, the Bill was referred back to the Local Government and Environment Committee. As well as receiving submissions, the select committee has received two departmental reports – one in August and the latest in the week before the Bill was reported pro-forma.

According to the Minister, “The select committee has a major task ahead to work through the 500-page departmental report and refine the drafting of the Bill. The Government wants to advance the legislation as quickly as possible but this is an area of law where getting the detail right is particularly important. It may be completed this year but may flow into early next year. We will also need to consult with the Māori Party on the detailed drafting when the Bill is reported back to Parliament to ensure it is consistent with the agreed policy.” (Nick Smith media release, 9 November 2016)

Further information may be found at:

[Resource Legislation Amendment Bill Q&As.pdf](#) (pdf 298.25 KB)

The evidence and advice considered by the committee will be publicly available here: <https://www.parliament.nz/en/pb/sc/scl/local-government-and-environment/tab/submissionsandadvice>