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Resource Management Review Panel

Ministry for the Environment
PO Box 10362
Wellington 6143

Email: RMreview@mfe.govt.nz

Transforming the resource management system: opportunities for change: Issues and options paper

Ki te kāhore he whakakitenga ka ngaro te iwi.

Without foresight or vision the people will be lost.

The quality of towns and cities is a matter of national importance, both to our people and to the environment. Without foresight and vision our ability to thrive within our towns and cities will be lost and the adverse impacts that they have on our natural environment could be considerable and irreversible.

Now is the time that the citizens of Aotearoa need to act to make substantive change. To be aspirational and not reactive. To commit to addressing the challenges of climate change swiftly and effectively and; to acknowledge that the urban environment is a significant contributor to national environmental outcomes and require active planning and design. In order to do this we need a highly integrated national framework and legislation, which is a genuine commitment to our environment and community.

Recommendations

Urban Design Forum Aotearoa recommends the following:

Issue 1: Legislative architecture:

Beyond all else the purpose of the RMA needs to seek and ensure aspiration, vision and positive outcomes underpin legislation as opposed to reactive, fragmented, ad hoc decision making that is largely focused on mitigation. As such the Forum consider that the revision of the Act must:

- Retain the Resource Management Act 1991 (RMA) as an integrated statute with enhanced principles for the built/human environment to achieve more integrated management and design that maximises overall outcomes for our communities, and that fundamentally do not privilege the short term needs of present over the long-term needs and benefits for future generations.
- Resolve competing interests, with a best for country decision making framework, at a central level, which will better enable local government to implement priorities.

- Strengthen the national development framework including national environmental/built design and planning principles to ensure an integrated framework for Aotearoa/NZ Inc. including a National Spatial and Infrastructure Plan, which set out meaningful direction for our Regional and District (Unitary) Councils to give effect too. Addressing such issues as ensuing high quality urban form, reduced travel demanded responding effectively to climate change and reliance and providing mechanisms for fairly allocation costs between generations.
- Establish a clear purpose alongside priorities, principles and processes, which also ensure genuine and effective community participation before decisions are made.
- Ensure collaboration rather than conflict underpins the development process. Provide direction that means all interests are working together.
- Remove uncertainty, barriers in both the plan making and consent processes; and associated costs to enable well planned, well designed, environmentally alert development that fulfils the intent of the national framework.
- Celebrate, support and incentivise those who commit to creating high quality, beautiful, functional and sustainable urban places.
- Acknowledge the positive impacts and benefits well planned, functioning and sustainable urban form can create for community development and social cohesion.
- Use language and methods that ensure the community can engage with the vision, principles and intent of the Act, from national planning documents to local and neighbourhood plans.

Issue 2: Purpose and Principles of the Resource Management Act 1991

- Amend the purpose statement to better enable both the built and natural environments to contribute towards shaping cities and towns where communities can thrive. This would see the strengthening of the built environment with a preference towards positive change that reflects the climate change prerogative.
- New or amended matters of national importance relating to: the maintenance and enhancement of biodiversity; recognition of Te Tiriti o Waitangi; urban resilience; management of natural hazards and climate change and; ensuring high quality urban environments including:
 - Sufficient and functional infrastructure - enabling people and communities to meet their social needs
 - Effective provision of open space
 - Business needs and options, including for example, provision for sustainable tourism
 - Provision of affordable, safe and resilient housing options at different spatial scales for all New Zealanders
 - Places we can love, that are attractive, liveable and easy to move around in without the need of a private car.

- Clearly articulate what sustainable management means and how competing values may be managed or resolved, ensuring that human well-being occurs within natural environment limits, and that the quality of the towns and cities is recognised in its significance today and for future generations.

Issue 3: Recognising Te Tiriti o Waitangi / the Treaty of Waitangi and te ao Māori

- Te ao Māori is integral to reforming the RMA, and with it the values and approach to the development of our urban places, underpinned through the commitment to Te Tiriti o Waitangi. A values based approach centred on matters of well-being, of care of the land and resources significantly alters the dynamic, recognising both the natural and the urban ecosystems as one.

Issue 4: Strategic integration across the resource management system

- Develop an Aotearoa/NZ Inc. approach to spatial planning recognising we are a country of only approximately 5 million people and collaboration of regions/districts, rather than allowing/supporting competition amongst them, will only strengthen our towns and cities, and our country in an international stage.
- Utilise the National Plan to take an integrated approach to resource management that embeds te ao Māori, focusing urban growth and infrastructure investment in areas for positive change and for the benefit of future generations, rather than on areas of current growth and short term current needs.
- Understanding the role that technology will place of community creation and investment decision.
- Ensure spatial plans are developed for the entirety of the country with adequate central government participation, funding, and financing. Without this, spatial planning will not work.
- Ensure spatial plans that better integrate various planning functions through a single process, including those under the RMA, LGA and LTMA.
- Establish mandatory timelines that local authorities could not deviate from the plan (i.e. three years), with interim monitoring to ensure there is good cause for non-deviation or deviation if applicable.
- Establish clear guidelines around the timeframe in which local authorities are to make decisions, with a clear principle that compromise is required. This is important when local authorities with competing interests are required to make region-wide decisions.

Issue 5: Addressing climate change and natural hazards

- Use spatial planning and urban design to embrace climate change adaptation responses that connect with regulation, infrastructure provision and funding.

Issue 6: National direction

- The National Plan to be supported through well-aligned National Policy Statements and National Environmental Standards, with clear direction on how overlapping standards

apply, and more integrated management of natural and human/urban values and needs. The National Plan must set meaningful direction for our Regional and District (Unitary) Councils to give effect too. Addressing such issues as ensuring high quality urban form, reduced travel demand responding effectively to climate change, and providing mechanisms for fair allocation of costs between generations.

- Provide national direction to cover nationally significant issues. Considering s.6 matters are identified as matters of national importance, there should be an obligation of the RMA to provide direction on these matters, including National Policy Statements and National Environmental Standards.
- Ensure decisions relating to competing interests are decided at the national level and consequently can be better implemented at the local level perverting unnecessary completion between regions/districts

Issue 7: Policy and planning framework

- Replace (or incorporates aspects of) the Regional Policy Statement and 30-Year Infrastructure Plan with a spatial plan, with links effectively with the National Plan, central government agencies and transport options.
- Establish Independent Hearings Panel for all of New Zealand, with local representation, and appeal rights limited to questions of law.

Issue 8: Consents/approvals

- Ensure greater provision for Councils to permit activities, without a resource consent, that do not strictly comply with Plan requirements but are of a minor nature and support desirable design outcomes.
- Provide a mechanism for removing existing use rights, in combination with other mechanisms such as financial compensation and property acquisition, to manage issues such as desirable urban form outcomes, high quality residential intensification and natural hazard risks.

Issue 9: Economic instruments

- Financial contributions should be broadened under the RMA to take account of the quadruple bottom line, supporting positive outcomes for natural and built/human environment. This would also include development contributions under the LGA2002 to ensure these are linked meaningfully with land use/transport and infrastructure provided over a 30 to 50 year time period.
- Provide tools that allow the management of private sector issues including land speculation/land banking, reducing effective comprehensive development approach and good design outcomes.

Issue 10: Allocation

- Decide allocation of resources to support regional, district and city councils at a national level and implement it locally through the use of the National Plan.

Issue 11: System monitoring and oversight

- Share resources. The sharing of resources between central and local government and between regional and district/city councils will better prepare each region to respond to its urban imperatives, appropriate to that region, district or city.

Issue 14: Reducing complexity across the system

- Reduce the tinkering of the RMA and focus on having a clear purpose and principles with increased focus on the quality of the built environment.

We wish to thank the Ministry for the Environment and the Review Panel for the opportunity to provide feedback on the issues and options paper, both verbally and in writing. The Aotearoa/NZ Urban Design Forum would like to speak to the submission should there be an opportunity to do so.

Any further queries do not hesitate to contact Alistair Ray, via email: Alistair.Ray@jasmax.co.nz or cell: 021621707

Ngā mihi nui,

Alistair Ray

Chair, National Committee, Aotearoa/NZ Urban Design Forum