

4 February 2020

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

1. Recommendations

1.1 Property Council New Zealand recommends the following:

Issue 1: Legislative architecture:

- We do not have a preference on the legislative architecture.
- Establish a clear statutory purpose alongside priorities, principles and processes.
- Resolve competing interests at a central level to better enable local government implementation.

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 where communities thrive. This would see the strengthening of principles focused on urban development and the built environment.
- Introduce a preference towards change with clear enabling provisions, rather than favouring the status quo.
- Either remove sections 6 and 7 and strengthen section 5 to have a clear purpose that enables both the built and natural environments to shape cities where communities thrive, or, if not remove sections 6 and 7, revisit these sections with greater attention to the built environment.

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

- Require councils to work with their local Iwi in establishing a spatial plan which acts as the vision for development of cities and communities.

Issue 4: Strategic integration across the resource management system

- Adopt the Ministry for the Environment's (MfE) definition of a spatial plan in its 2010 'Building Competitive Cities – Discussion Document'.

NATIONAL OFFICE

Foyer Level
51 Shortland Street
PO Box 1033
Auckland 1140

P +64 9 373 3086
F +64 9 379 0781
E enquiries@propertynz.co.nz
propertynz.co.nz

Corporate Sponsors



McCONNELL PROPERTY





- Develop spatial plans alongside the Long-Term Plan process of local government and incorporate or replace other plans such as the 30-Year Infrastructure Plan, Regional Policy Statements and Regional Land Transport Strategies and Plans.
- When establishing the framework or guidance to a spatial plan, all relevant agencies work together to establish accurate growth forecasts and test these with the property and development sectors. This will better equip the historic shortfalls (both in terms of population growth and infrastructure required) when planning for future growth.
- Establish mandatory timelines that local authorities could not deviate from the spatial plan (i.e. three years), with interim monitoring to ensure there is good cause for non-deviation or deviation if applicable.
- Develop spatial plans at a regional level, with central government participation, funding, and financing. (See Issue 4 for more detail and a list of recommended central government agencies and key stakeholders).
- 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

- The RMA has a role to play in giving guidance on how climate change issues should be addressed from a planning perspective.
- Maintain the current focus on the New Zealand Emissions Trading Scheme (NZ ETS) as the main policy tool to address climate change mitigation. There is a risk of uncertainty for the development community and favouritism towards the status quo if the RMA empowers decision-makers on individual resource consent applications to look at what the impacts on climate change are.
- Use the spatial planning process for climate change adaptation responses (in the context of the national adaptation plan) that connect with regulation, infrastructure provision and adaptation funding.

Issue 6: National direction

- Integrate National Policy Statements (where applicable) to ensure decisions relating to prioritisation of competing interests are made at the national level and consequently can be better implemented at the local level.
- Clearer and shorter time frames for National Policy Statement's to be implemented through District Plans will better give effect to National Policy Statements.

Issue 7: Policy and planning framework

- Replace (or incorporate aspects of) the Regional Policy Statement, 30-Year Infrastructure Plan and Regional Land Transport Strategies and Plans with a spatial plan.
- Establish Independent Hearings Panels, appointed by the Minister for the Environment, with appeal rights limited to questions of law.

Issue 8: Consents/approvals

- Establish a local government independent regulator to ensure accountability within local authority consent departments can occur. Changing the RMA will not resolve the unpredictability, lack of accountability and implementation issues that relate to consents.

Issue 9: Economic instruments

- Economic instruments used under the RMA should be linked with environmental impacts only.
- Financial contributions should not be broadened under the RMA. We continue to support the Resource Legislation Amendment Act 2017, which will see the removal of financial contributions under the RMA by 2022.

Issue 10: Allocation

- Decide allocation of resources at a national level and implement those decisions locally.

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 for future growth.

Issue 12: Compliance, monitoring and enforcement

- Industry bodies take a leadership role in educating local authorities, to ensure that individuals who process consents have a greater understanding of the entire system and plans.

Issue 13: Institutional roles and responsibilities

- Leadership and monitoring will help resolve many of the issues raised here.

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 built environment.

2. Introduction

2.1 Property Council's purpose is "Together, shaping cities where communities thrive". We believe in the creation and retention of well-designed, functional and sustainable built environments which contribute to New Zealand's overall prosperity. We support legislation that provides a framework to enhance economic growth, development, liveability and growing communities.

2.2 New Zealand is having a 'housing crisis', with continual media articles and research emphasising low housing supply, the need for emergency housing, and the flow on effects of intergenerational equity.



- 2.3 Property is currently New Zealand's largest industry with a direct contribution to GDP of \$29.8 billion (13 per cent). The property sector is a foundation of New Zealand's economy and caters for growth by developing, building and owning all types of property.
- 2.4 Property Council is the leading not-for-profit advocate for New Zealand's largest industry - property. Connecting people from throughout the country and across all property disciplines is what makes our organisation unique. We connect over 10,000 property professionals, championing the interests of over 560 member companies who have a collective \$50 billion investment in New Zealand property. Our membership is broad and includes companies that undertake large-scale residential and commercial development projects, including large commercial buildings, industrial parks and retail precincts where people live, work, shop and play across New Zealand.
- 2.5 This submission responds to the issues and questions raised in the [Transforming the resource management system: opportunity for change – Issues and options paper](#). Comments are provided on those issues that are relevant to Property Council and its members.
- 2.6 The Government is seeking to undertake a comprehensive review of the Resource Management Act and other significant legislation comprising the resource management system. This submission provides an overview of suggested changes that we see as having significant positive impact on our current system.

3. Overview

- 3.1 The issues and options paper is a succinct and well thought out document. We congratulate the Resource Management Review Panel and MfE on its development.

4. Issue 1: Legislative Architecture

- 4.1 We do not have a preference as to the legislative architecture. We recommend MfE and the Review Panel focuses efforts on ensuring that the legislation has a clear purpose, priorities, principles and process. This will better ensure the system is efficient and effective. There is a heightened need for the legislation to better represent the built environment, as discussed further in our submission in Issue 2.
- 4.2 Our concern if there is separate legislation is that we run the risk of having two separate statutes with competing interests and no clear guidance as to which interest takes priority. This is an issue that should therefore be clearly identified and resolved if separate planning and environmental management statutes are proposed.
- 4.3 An example of such competing interests at the policy level is within the current National Policy Statement on Urban Development (NPS-UD) and National Policy Statement on Highly Productive Land (NPS-HPL). The two National Policy Statements have contradicting statements around intergenerational equity, as the blanket protection of land use capability class 3 land within the NPS-HPL effectively pushes 'pause' on land that would likely be suitable for development (and unsuitable for productive purposes). As a result, the NPS-HPL directly conflicts with the NPS-UD's aim to increase housing supply, decrease housing unaffordability, and better resolve intergenerational equity.



4.4 Future legislation will need to ensure that competing interests are resolved at a central government level which will enable better implementation by local government. The resource management system unavoidably involves a number of competing interests and currently, local government is often left to determine these, usually with little or no central government guidance (or where there is an attempt to provide such guidance, it is too high level to actually assist). The resource management system should provide a clear framework of priorities for local government to implement, not a set of high-level guidelines which local government is left to interpret and apply at their discretion. We recommend central government resolve competing interests at a national level to provide greater certainty to local authorities.

5. Issue 2: Purpose and principles of the Resource Management Act

5.1 The purpose and principles of the RMA do not currently sufficiently recognise the need to enable development of the built environment and infrastructure. This results in restricting freedom of access and movement for individuals which overall limits choices and connectivity.

5.2 The legislation needs to better enable the shaping of cities where communities thrive. Communities that thrive have access to; employment, health, education, housing, infrastructure (such as roads, public transport, water quality, etc), shops, parks, open spaces, the natural environment and public amenities. Liveable cities have the freedom of access and movement both within and outside of a city, to better connect people and communities.

Purpose of future legislation

5.3 The RMA fails to recognise change being an important part of both the built and natural environments.

5.4 A clear purpose which balances the competing interests of the built and natural environments is crucial to achieving better outcomes for our cities and communities. Better clarification and definitions within the purpose statement should provide clear guidance to local authorities who implement the RMA and shift the focus from an effects-based approach towards an outcomes-based approach.

5.5 We recommend introducing a preference towards change with clear enabling provisions, rather than language which promotes maintaining the status quo. The aim would be to better enable both the built and natural environments to contribute towards shaping cities where communities thrive.

Principles of future legislation

5.6 Sections 6 and 7 of the RMA refer to the 'maintenance' of resources. The word 'maintenance' has an underlying understanding of protectionism or retaining the status quo. As a result, there is an underlying notion or culture that 'change is bad', as our planning system does not proactively seek or respond to opportunities for positive change, especially within an urban context.

5.7 By way of example, while it is commonly agreed as essential that we sustain and maintain natural resources and landscapes, urban environments are necessarily dynamic. For example, high-growth cities must enable changes in housing typology and density to meet current and

future needs and aiming to ‘maintain’ them rather than enable change will have adverse outcomes.

- 5.8 A system which promotes and enhances change as a positive outcome, will better address issues of intergenerational equity and improve social and economic wellbeing. A system that supports change will also promote creativity and ambition for architects, planners, and manufactures to ensure continual improvement of practices of design, safety and development for both the built and natural environments.
- 5.9 Current working practice sees local government treat sections 6 and 7 in the RMA as a checklist, which they are not. This is an issue due to sections 6 and 7 having a strong environmental focus with limited or no provisions enabling the built environment and infrastructure to evolve, succeed, and meet current and future needs. If sections 6 and 7 are revisited it is important that competing interests are resolved, and clear guidance given to local authorities that enables change and better supports implementation of such change.
- 5.10 There are two options to resolve this issue within the current RMA framework. The first would be to remove sections 6 and 7, while having a clear purpose statement in section 5. The second option would be to retain sections 6 and 7 amending the language to favour change, become more enabling and incorporate the built environment and infrastructure.
- 5.11 We do not have a particular preference towards either options discussed above. We would support sections 6 and 7 either being removed or, if not removed, revisited with greater attention to the built environment.

6. Issue 3: Recognising Te Tiriti o Waitangi / The Treaty of Waitangi and te ao Māori

- 6.1 Recognising Māori interests is important, not only within the RMA but within the wider planning framework. We see spatial plans playing a key role in ensuring that our Māori history and culture is incorporated into our future plans and that regional councils work with their local Iwi in establishing a vision for development of future communities and cities.

7. Issue 4: Strategic integration across the resource management system

Defining a spatial plan

- 7.1 We support the MfE’s definition of a spatial plan as follows:

“A 20–30 year strategy that sets the strategic direction for a community and which serves as the basis for the co-ordination of decision making, infrastructure, services and investment. It is a means of aligning other council plans. A spatial plan provides a visual illustration of the intended future location and mix of residential, rural and business areas, along with the critical infrastructure required to service those areas and any relevant environmental constraints (for example, hazards or areas that need to be protected from development).”¹

- 7.2 MfE’s definition discusses incorporating “critical infrastructure required to service” the area of the spatial plan. We interpret critical infrastructure to include; transport routes (i.e. dedicated

1 Ministry for the Environment (2010), Building Competitive Cities: Reform of the Urban and Infrastructure Planning System – A Discussion Document, pg. 72, website: <https://www.mfe.govt.nz/sites/default/files/building-competitive-cities.pdf>

bus and rail routes, roading and cycleways), power, telecommunications, three waters, hospitals, schools, airports, and ports.

- 7.3 MfE’s definition discusses spatial plans as a “means of aligning other council plans.” We recommend spatial plans are developed alongside the Long-Term Plan process of local government and incorporates or replaces other plans such as the 30-Year Infrastructure Plan, Regional Policy Statements and Regional Land Transport Strategies and Plans. This would better promote coordinated planning and reduce the risk of adding another layer of complex planning. However, it is important that a spatial plan leads to decision making and delivery, rather than ‘just being another plan’.
- 7.4 We see the purpose of spatial plans to create a clear outcomes-based vision. It would require certainty, and a degree of flexibility. Mandatory timelines should be set by Government as to the number of years 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. The plan itself would have public consultation but no legislative review option – as this is important to ensure we remove a layer of complexity and promote long term planning that provides certainty.
- 7.5 Current inadequacies with our census data and frequent underestimations of population growth, coupled with an ongoing history of underinvestment in local government infrastructure has resulted in shortfalls across New Zealand. When establishing the framework or guidance to a spatial plan, we recommend all relevant agencies work together to establish accurate growth forecasts and test these with property and development sectors.
- 7.6 Our vision is to have regional spatial plans which are strategic documents that have a 30-Year Plan for the region. A spatial plan would have a wide range of information on one plan including future roading networks, railways, airports, hospitals, schools, urban development, commercial and industrial development, public transport routes, parks and open spaces, protected environments signalled and public amenities. It would also state on an indicative level how the plan will be funded and how it will be achieved.
- 7.7 The significant change of a spatial plan to our current system is that it ties central and local government to long-term planning and funding within a region. Furthermore, incorporating environmental and public amenity decisions alongside this process would ensure we have the best outcome for all.

How a spatial plan could work in practice

- 7.8 Our recent submission on the National Policy Statement for Urban Development 2019² advocated for spatial planning to be undertaken at a regional level with central government participation and strong linkages to national strategy and policy. In practice this would see a spatial plan being developed at a regional level, with central government participation, funding and financing, signed off by the Minister of Urban Development. Central Government

² Property Council New Zealand, submission to Ministry for the Environment on National Policy Statement on Urban Development, 10 October 2019, website: https://www.propertynz.co.nz/sites/default/files/uploaded-content/field_f_content_file/190924-pcnz_submission_on_nps-ud-september19.pdf

funding could occur by establishing a regional development fund covering all New Zealand. It would be accessible by local authorities who collaborate across the region to develop and deliver a regional spatial plan.

7.9 We recommend the following central government agencies participate in the spatial plan, with one organisation being the lead, on behalf of the following central government agencies:

- Ministry of Housing and Urban Development
- Kāinga Ora (incorporating Housing New Zealand, Hobsonville Land Company and KiwiBuild)
- Ministry for the Environment
- Ministry of Transport
- New Zealand Transport Agency
- Ministry of Education
- Ministry of Health (and DHBs)
- Ministry of Business, Innovation and Employment (i.e. the Provincial Development Unit)
- The Treasury New Zealand
- Department of Internal Affairs
- Crown Infrastructure Partners
- Infrastructure Commission.

7.10 It is important that the process for developing spatial plans provide for public consultation and that key stakeholders have opportunities for early engagement outside of usual statutory consultation requirements under the Local Government Act. This would be particularly helpful to ensure that development is not only ‘feasible, but likely to be taken up’ as per the draft National Policy Statement on Urban Development 2019. We would expect key stakeholders to include:

- Local Iwi/Hapu
- Private sector
- Member industry bodies (i.e. Property Council New Zealand, Infrastructure New Zealand, Chambers of Commerce etc).

7.11 One concern with spatial planning is that the process could be lengthy having regard to the number of local authorities and central government agencies required to participate. Clear guidelines around the timeframe in which local authorities are to make decisions needs to be established, with a clear principle that compromise is required. This is important if various local authorities with somewhat competing interests make region wide decisions.

7.12 In relation to legislative architecture, provisions relating to spatial planning could be included either in a new “overarching” strategic planning statute or within the existing RMA. Similar to our discussion in Issue 1, we consider the nature and content of the provisions is more important than exactly where they sit within the statutory framework. In this regard, the provisions must establish a clear vision with clear guidelines and principles, in order to ensure the legislation can be effectively implemented to achieve that outcome.



8. Issue 5: Addressing climate change and natural hazards

- 8.1 The RMA has a role to play in giving guidance on how climate change issues should be addressed from a planning perspective (not only guiding planning for climate change adaptation but also providing a framework for recognising the benefits of climate-friendly development). However, the RMA should not require individual consent authorities to have to identify and address all potential climate change-related issues arising from a proposed development, as local authorities are unlikely to have the capacity or capability to do so.
- 8.2 For example, in practice, incorporating climate change into the RMA could require local authorities to consider climate issues when determining building and consent applications. As a result, there would be greater risks for development as the local authority may not have the capacity or capability to undertake this assessment. Even where it does, consent applications will inevitably become much more complex (and therefore time consuming) if the RMA requires an assessment of potential climate change effects in this process. This would further delay (and undoubtedly halt at least some) development proposals, which is the complete opposite of what the current review is intending to achieve.
- 8.3 When considering whether or not to incorporate additional issues (such as climate change) within the RMA, we recommend clearly reviewing the purpose of the RMA and determining whether the inclusion would support the purpose and principles of the RMA, or if it is best placed under a separate piece of legislation at a national level for clarity sake. There is a risk for the development community if local authorities are required to consider climate change under the RMA.
- 8.4 We recommend maintaining the current focus on the NZ ETS as the main policy tool to address climate change mitigation.
- 8.5 There is an opportunity to use the spatial planning process for climate change adaptation. For example, using the spatial planning processes to identify future adaptation responses (in the context of the national adaptation plan) that connect with regulation, infrastructure provision and adaptation funding. We recommend incorporating this into the spatial planning framework as set out in Issue 4.

9. Issue 6: National direction

- 9.1 Current national direction is unclear and difficult to interpret. The draft 2019 National Policy Standards on Urban Development and Highly Productive Land have scenarios where competing interests occur with no clear direction from central government as to where and when each interest should take priority. This means local authorities are left to decide these issues, which generally results in them favouring the status quo or a protectionist route.
- 9.2 Integrated National Policy Statements (where applicable i.e. the NPS-UD and NPS-HPL) will ensure decisions around priority and importance of resources are made at the national level. This will in turn provide policy direction that is easier for local authorities to implement.
- 9.3 Furthermore, clearer and shorter time frames for National Policy Statement's to be implemented through District Plans will better give effect to National Policy Statements.

9.4 We support clearer national direction, which is easier for local authorities to implement, rather than requiring Councils to determine priority between competing interests (and associated national policy statements) on a case-by-case basis.

10. Issue 7: Policy and planning framework

10.1 As discussed in Issue 4, we support introducing mandatory spatial planning at a regional level across the RMA, LGA and LTMA to better integrate resource and future planning decisions.

10.2 However, in doing so, it is important that we are not simply adding another layer of the planning process. Rather, the purpose of spatial planning is to better align other local authorities plans and processes. For this reason, we recommend that a spatial plan replaces (or incorporates aspects of) the Regional Policy Statement and 30-Year Infrastructure Plan, as well as Regional Land Transport Strategies and Plans.

10.3 We support Independent Hearing Panels being established to facilitate plan making, with appeal rights being limited to points of law. However, when a council adopts the recommendations of an Independent Hearings Panel (or the Panel itself is the final decision maker), the council must then implement those decisions. We would support a local government independent regulator role to hold local authorities to account and ensure that they implement their plans, where those have been developed through use of an Independent Hearing Panel.

11. Issue 8: Consents/approvals

11.1 The review panel states that “a future system will need to strike the right balance between process efficiency and public participation.” We question this statement, as public participation does not always achieve good outcomes. It is also important to note that contested issues are generally involved by competing expert evidence being assessed by a third-party decision maker, not by public participation. A clear vision designed and developed during the planning process is more likely to create positive planning and urban design outcomes, over public participation.

11.2 The main issue with our current consenting and approval process is implementation. We have many examples of council officers opposing proposals because they have incorrectly interpreted the provisions of the RMA and/or the relevant plan, or are inappropriately applying their personal views and preferences, when assessing a resource consent application. This results in the applicant having to either abandon their proposal (and therefore lost development opportunities), or engage significant (and unwarranted) expert resources to counter the officer’s approach, including via litigation. Either outcome imposes substantial costs on both our members and the wider community.

11.3 In our experience, there is a lack of accountability within local authorities for their actions which enables such implementation issues to occur. There is nothing in the RMA that incentivises council officers to act in a professional, legally correct and timely manner. Significantly, nor are there any implications for those that do not. When applicants challenge the concerns being raised by council officers regarding a resource consent application (for example, because they are based on an interpretation of the RMA that is clearly legally



incorrect), a common response from council officers is “well we are not changing our view, so if you do not agree, you will have to take us to court”. They are of course correct – litigation is generally the only avenue available to applicants in such circumstances.

- 11.4 Unfortunately, most applicants do not have the time or money to pursue legal proceedings. Council officers are aware of this and on occasion, deliberately use that knowledge to exploit their power over applicants. The additional (and unnecessary) costs that industry and the public incur each year as a result of this lack of accountability and the resulting implementation issues would easily be in the tens if not hundreds of millions of dollars.
- 11.5 Changing the architecture of the RMA itself will not address resolve these matters. We recommend establishing an independent local government regulator to ensure accountability within local authority consent departments can occur. This would be a separate regulator role (similar to that of the ombudsman), which would provide an alternative avenue for applicants to pursue issues with the processing of their consent applications, outside of the formal court process.

12. Issue 9: Economic instruments

- 12.1 The fundamental issue is that central government holds the majority of funding. It is accepted that this is a matter that lies outside of the Panel’s terms of reference. That said, there is a need for greater integration of the various funding options that are available to both central and local government. We support the current work being undertaken by a range of different government agencies on alternative funding mechanisms for local government and look forward to seeing their recommendations being implemented, as appropriate.
- 12.2 Outside the RMA, there is a need for a greater role for central government funding for infrastructure to support the built environment, particularly housing supply in high growth areas. Zoning is important, but infrastructure delivery has proven to be a difficult issue for local authorities.
- 12.3 We also support the intention of allowing local authorities to have flexibility and options in relation to raising revenue. This is best achieved through the Local Government Act with local government leveraging alternative funding mechanisms such as targeted rates. The RMA is not the right tool to collect or raise revenue related to development or infrastructure for local government. We recommend any economic instruments used under the RMA should be linked with environmental impacts only.
- 12.4 Infrastructure funding should not be incorporated into the RMA. We support the Resource Legislation Amendment Act 2017 which will see the removal of financial contributions under the RMA so that local authorities will no longer be able to collect financial contributions from 18 April 2022.³ This amendment to the RMA clarifies that the cost of servicing new growth should be met through development contributions under the Local Government Act. This change is supported, particularly in light of the complexities that have arisen with local

³ Ministry for the Environment (2017), Resource Legislation Amendments 2017 – Fact Sheet 4, pg. 6, website: <https://www.mfe.govt.nz/sites/default/files/media/Fact-sheet-4-changes-to-the-standard-planning-track.pdf>

authorities being able to collect both development contributions and financial contributions for a project, but not allowing these to overlap.

13. Issue 10: Allocation

13.1 As discussed earlier in our submission, stronger national direction is required to determine, in various scenarios, which competing interest takes priority. Currently local government is required to be decision-makers instead of implementers. If the RMA is to become more enabling, the allocation of resources needs to be decided at a national level and implemented locally.

14. Issue 11: System monitoring and oversight

14.1 We support changes that will better monitor data collection and use. For example, the sharing of resources between central and local government and between regional and district/city councils will better prepare each region for future growth.

15. Issue 12: Compliance, monitoring and enforcement

15.1 Although we are supportive of the suggestions within the issues and options paper, in practice enforcement cannot solve all the current issues, particularly on the processing side. There is an educational aspect to compliance and monitoring, to ensure that individuals who process consents have a greater understanding of the entire system and plans.

15.2 As discussed throughout our submission, the RMA favours the status quo. Greater compliance, monitoring and enforcement will resolve this issue. However, changing the purpose and principles of the RMA will also assist in this regard.

15.3 There is also a need for councils to be monitored, to see whether their decisions achieve macro goals around housing supply and delivery, especially in high growth area. That is, it is not just consent holders that need monitoring – we also need to ensure local authorities meet the needs of the built environment and society. This may fall outside the RMA, however.

16. Issue 13: Institutional roles and responsibilities

16.1 The issues and options paper discuss insufficient capacity and capability in central and local government. Although, to some degree this may be true, we see it more as a monitoring issue. Local authorities view their role as decision-makers in plan making processes rather than an implementation role. We believe increased leadership and monitoring by central government will help resolve the issues raised here.

17. Issue 14: Reducing complexity across the system

17.1 As part of Resource Reform New Zealand, we have supported an overhaul of the resource management system. We believe that core to the resource management system is having a clear purpose and process on how to get there. We recommend using simple language when defining the purpose and principles of the RMA, and as stated earlier, that the built environment plays more of a role.

17.2 Constant tinkering with the RMA has caused many delays, increased costs, and confusion rather than clarity. As a result, complexity within the system itself has increased. We have recommended to remove all tinkering of the RMA in past submissions, as we have seen tinkering across the years increase complexity and reduce efficiency.

18. Conclusion

18.1 There is no silver bullet in resolving the many issues with our current resource management system. However, we recommend the following minimum changes in order to have significant positive impact on our current system:

- Develop a clear purpose and principles in the RMA (which incorporate the built environment and favours change);
- Introduce mandatory spatial plans at the region level which are government-led and funded;
- Decisions around priority and importance of resources are decided at the national level and can be better implemented locally; and
- Introduce accountability in local authority consenting departments such as an independent regulator to provide alternative appeal avenues for resource and consent applicants.

18.2 We wish to commend the Review Panel in undertaking this review in the short timeframe it was given. 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.

18.3 Any further queries do not hesitate to contact Katherine Wilson, Senior Advocacy Advisor, via email: katherine@propertynz.co.nz or cell: 027 8708 150.

Yours sincerely,



Leonie Freeman
Chief Executive.