

Strategy and Planning Committee - Supplementary Agenda 7 July 2021



Meeting is held in the Council Chamber, Level 2, Philip Laing House
144 Rattray Street, Dunedin

Members:

Cr Gretchen Robertson, Co-Chair	Hon Cr Marian Hobbs
Cr Kate Wilson, Co-Chair	Cr Carmen Hope
Cr Hilary Calvert	Cr Gary Kelliher
Dr Lyn Carter	Cr Michael Laws
Cr Michael Deaker	Cr Kevin Malcolm
Mr Edward Ellison	Cr Andrew Noone
Cr Alexa Forbes	Cr Bryan Scott

Senior Officer: Sarah Gardner, Chief Executive

Meeting Support: Dianne Railton, Governance Support

07 July 2021 02:00 PM

Agenda Topic	Page
1. MATTERS FOR CONSIDERATION - SUPPLEMENTARY PAPER	2
1.1 NATURAL AND BUILT ENVIRONMENTS ACT (NBA) EXPOSURE DRAFT - SUBMISSION PROCESS	2

This report is to set the approval process for ORC's submission to the NBA exposure draft released by Government on 29 June 2021.

1.1. Natural and Built Environments Act (NBA) Exposure Draft - Submission Process

Prepared for: Strategy and Planning Committee
Report No. SPS2137
Activity: Governance Report
Author: Sylvie Leduc, Senior Strategic Analyst
Endorsed by: Sarah Gardner, Chief Executive
Date: 7 July 2021

PURPOSE

- [1] To set the approval process for ORC's submission to the NBA exposure draft released by Government on 29 June 2021.

EXECUTIVE SUMMARY

- [2] On 29 June 2021, the Government released an exposure draft of the Natural and Built Environments Act (NBA). The NBA will be the main replacement for the Resource Management Act (1991) (RMA) once enacted and is central to the reform of the resource management system.
- [3] The exposure draft¹ provides an overview of the purpose of the NBA and related provisions, the National Planning Framework (or national directions) and the Natural and Built Environment Plans. The exposure draft does not include provisions on:
- Consenting.
 - Compliance, monitoring and enforcement.
 - Mana whenua participation.
 - Decision-making processes on plans and consents.
- [4] Key aspects of the exposure draft include:
- A new purpose**, which puts the emphasis on Te Oranga o te Taiao and the ability of people and communities to use the environment to support their wellbeing.
 - The obligation to give effect to **te Tiriti o Waitangi**.
 - An environmental management framework that requires the setting of **environmental limits** on specified matters.
 - Environmental outcomes** that must be promoted through the National Planning Framework and plans.
 - The requirement for Government to develop a **National Planning Framework** that provides integrated direction on matters of national significance or on matters where consistency is desirable.
 - The requirement to have a **natural and built environments plan** in every region.
- [5] The draft confirms that each natural and built environments plan will be prepared by a planning committee appointed in every region. Members of planning committees will be appointed by the Minister of Conservation, mana whenua, and each constituent council. They will be supported by a secretariat, funded by the constituent councils.

¹ <https://environment.govt.nz/assets/publications/Natural-and-Built-Environments-Bill-Exposure-Draft.pdf>

- [6] The exposure draft has been referred by Parliament to a Select Committee inquiry process. The scope of the inquiry has been limited to:
- a. Feedback on the exposure draft.
 - b. Feedback on the material in the parliamentary paper that provides rationale for the clauses in the exposure draft.
 - c. Collating 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.
- [7] Public submissions on these matters can be addressed to the Select Committee by Wednesday 4 August 2021. The Select Committee is expected to report back to Parliament in October 2021.
- [8] ORC has been working with Otago and Southland councils to coordinate their response to the resource management reform. On 18 June 2021, the Otago Mayoral Forum has expressed its support of the development of a high-level joint submission to the inquiry. All efforts will be made in the coming weeks to prepare this joint submission.
- [9] ORC submissions are generally approved either by Council or by the Strategy and Planning Committee. Because no Council or Committee meeting is scheduled to meet before submissions close, it is recommended to adopt an alternative approach to prepare ORC's submissions. This approach will:
- a. Involve the Strategy and Planning Committee Co-Chairs in the review and approval of ORC's submission.
 - b. Inform all committee members of the submission, at the 11 August 2021 Strategy and Planning Committee.
- [10] ORC will have a second opportunity for feedback, when the full NBA bill is introduced to Parliament, along with the Strategic Planning Act bill, in early 2022.

RECOMMENDATION

That the Strategy and Planning Committee:

- 1) **Notes** this report.
- 2) **Notes** ORC is working with Otago and Southland councils to coordinate responses to resource management reform, including a potential joint submission on the Natural and Built Environments Act exposure draft.
- 3) **Agrees** for the review and approval of the ORC submission (joint or individual) to be done by the Co-Chairs of the Strategy and Planning Committee, before being submitted to the Select Committee on 4 August 2021.
- 4) **Notes** that a copy of the finalised submission will be brought to the Strategy and Planning Committee on the 11 August 2021 for noting.
- 5) **Notes** that this is the first opportunity to provide feedback on the exposure draft, and there will be further opportunities later in the year.

ATTACHMENTS

Nil