



Cabinet

Minute of Decision

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Natural and Built Environment Bill and Spatial Planning Bill: Approval for Introduction

Portfolio Environment

On 7 November 2022, following reference from the Cabinet Business Committee, Cabinet:

- 1 **noted** that the Spatial Planning Bill and the Natural and Built Environment Bill (NBA Bill), hold category 4 priority on the 2022 Legislation Programme (to be referred to a select committee in 2022);
- 2 **noted** that the Bills will create a new resource management system, and repeal and replace the Resource Management Act 1991 (RMA);
- 3 **noted** that the Parliamentary Counsel Office will make any adjustments required to the Bills before their introduction, and will continue to polish the Bills thereafter;
- 4 **noted** that the polishing work may result in a technical Supplementary Order Paper (SOP) being referred to the select committee considering the Bills early in 2023;
- 5 **noted** that the technical SOP may be informed by recommendations from a system efficiency working group;
- 6 **noted** that detailed commencement, savings, and transitional provisions will be introduced through the select committee process;
- 7 **agreed** that the purpose of the Freshwater Working Group in the NBA Bill is to make recommendations on matters relating to freshwater allocation, including on a process for engagement between the Crown and iwi and hapū at the regional or local level;
- 8 **authorised** the Prime Minister, Minister for Infrastructure, Minister of Energy and Resources, Minister for the Environment, and Minister for Rural Communities to have Power to Act to take decisions on the consenting process for hydro-electricity schemes;
- 9 **noted** that the housing outcome has been strengthened to ensure that the National Planning Framework and NBA plans must provide for housing supply that is substantially above anticipated demand; is not unduly constrained by restrictions that lead to inflated land prices; and contributes to housing choices, including affordable housing;

- 10 **noted** that a new clause on environmental responsibility specifies:
- 10.1 every person has a responsibility to protect and sustain the health and well-being of the natural environment for the benefit of all New Zealanders;
 - 10.2 all persons exercising powers and performing duties and functions under the Act must recognise and provide for the mana and responsibility of each iwi and hapū to protect and sustain the health and well-being of te taiao;
- 11 **authorised** the Prime Minister, the Minister for Infrastructure, the Minister for the Environment, and the Minister for Rural Communities to take final decisions on any outstanding issues relating to hydro-electricity schemes;
- 12 **authorised** the Minister for the Environment to make further minor and technical drafting changes to the Bills prior to introduction, in line with the decisions taken by Cabinet;
- 13 **approved** the Spatial Planning Bill [PCO 23429/25.0] and the Natural and Built Environment Bill [PCO 23532/17.0] for introduction;
- 14 **agreed** that the Bills be introduced as soon as is practicable;
- 15 **agreed** that the Government propose that the Bills be:
- 15.1 referred to the Environment Committee for consideration;
 - 15.2 enacted by 30 June 2023.

Rachel Hayward
Secretary of the Cabinet