



PROACTIVE RELEASE COVERSHEET

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|------------------------|--|-----------------------------|-------------------------------------|
| Minister | Hon Chris Bishop | Portfolio | Minister Responsible for RMA Reform |
| Name of package | Clarifying councils' ability to manage discharges under the Resource Management Act 1993 | Date to be published | 05/05/2026 |

List of documents that have been proactively released

| Date | Title | Author |
|--------------|---|--|
| 31 July 2024 | Cabinet paper: Clarifying councils' ability to manage discharges under the Resource Management Act 1993 | Ministry for the Environment and Ministry for Primary Industries |
| 31 July 2024 | Cabinet Economic Policy Committee Minute of Decision (ECO-24-MIN-0145) | Cabinet Office |

Information redacted **YES**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment's policy on proactive release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Summary of reasons for redaction

Some information has been withheld from the Cabinet paper *Clarifying councils' ability to manage discharges under the Resource Management Act 1993* under Section 9(2)(g)(i) and 9(2)(h) of the Official Information Act to protect matters subject to free and frank advice and legal privilege.

In-Confidence

Office of the Minister Responsible for RMA Reform

ECO - Cabinet Economic Policy Committee

Clarifying councils' ability to manage discharges under the Resource Management Act 1991

Proposal

- 1 This paper seeks agreement to amend section 107 of the Resource Management Act 1991 (RMA) through the Resource Management (Freshwater and Other Matters) Amendment Bill (the Bill), to clarify councils' ability to manage discharges.
- 2 This paper also seeks delegation of authorisation to the Minister to:
 - 2.1 make further policy and drafting decisions that are consistent with the decisions made in this paper
 - 2.2 instruct the Parliamentary Counsel Office to draft these amendments for inclusion in the Bill.

Relation to Government priorities

- 3 The proposals in this paper deliver on, or support, Coalition Agreement commitments to:
 - 3.1 seek advice on how to exempt councils from obligations under the NPS-FM (Coalition Agreement National Party/ACT New Zealand)
 - 3.2 make it easier to consent new infrastructure including renewable energy, allow farmers to farm, get more houses built, and enhance primary sector including, forestry, pastoral, horticulture and mining (Coalition Agreement National Party/ACT New Zealand and Coalition Agreement National/New Zealand First)
 - 3.3 ensure regulatory decisions are based on principles of good law-making (Coalition Agreement National Party/ACT New Zealand).
- 4 The Government has also agreed that the resource management reform work programme will be guided by the following objectives [ECO-24-MIN-0022]:
 - 4.1 making it easier to get things done by:
 - 4.1.1 unlocking development capacity for housing and business growth
 - 4.1.2 enabling delivery of high-quality infrastructure for the future, including doubling renewable energy
 - 4.1.3 enabling primary sector growth and development (including aquaculture, forestry, pastoral, horticulture, and mining)

- 4.2 while also:
- 4.2.1 safeguarding the environment and human health
 - 4.2.2 adapting to the effects of climate change and reducing the risks from natural hazards
 - 4.2.3 improving regulatory quality in the resource management system
 - 4.2.4 upholding Treaty of Waitangi settlements and other related arrangements.

Executive Summary

- 5 Recent court decisions¹ mean councils have reduced scope to permit (s70) or consent (s107) discharges under the RMA that may lead to significant adverse effects. A number of primary industry submitters on the Resource Management (Freshwater and Other Matters) Amendment Bill (RM Bill 1) seek that the Bill amend sections 70 and 107 as a matter of urgency.
- 6 I consider amendments to section 107 of the RMA are time critical and necessary to provide certainty to consent applicants and councils. I propose to amend section 107 through RM Bill 1. This will enable discharge consents that may contribute to significant adverse effects to be granted provided conditions reduce adverse effects over time. Any amendments to section 70 can be considered as part of RM Bill 2 as previously agreed by Cabinet [ECO-24-MIN-0113].
- 7 I propose that officials recommend amendments to section 107 consistent with our decisions on this matter through the Departmental Report on RM Bill 1. If the Committee's recommendations are not consistent with Cabinet's decisions on this matter, I propose to table an Amendment Paper when the Bill is being considered by the Committee of the Whole House.

Background

- 8 The RMA requires a regional council to be satisfied that the discharge of a contaminant will not result in any significant adverse effects on aquatic life, among other matters, before it can permit (section 70), or issue a consent (section 107) for that discharge.
- 9 Recent court decisions have confirmed sections 70 and 107 apply to diffuse and point source discharges,² and found:
- 9.1 councils cannot set a permitted activity rule without first being satisfied that this is unlikely to give rise to significant adverse effects on aquatic life (among other matters), and
 - 9.2 councils cannot grant a discharge consent if there are likely to be significant adverse effects, including where consent conditions mean there would be reduction in those adverse effects over time.

¹ *Federated Farmers Southland Incorporated v Southland Regional Council* [2024] NZHC 726 [9 April 2024], and *Environmental Law Initiative (ELI) v Canterbury Regional Council* NZHC 612 [20 March 2024].

² Being pollutants from a widespread source such as pasture runoff of animal waste and sediment, or from paved surfaces in urban areas – as opposed to point source discharges (from pipes).

- 10 Together, these decisions reduce the scope for councils to permit or consent discharge activities and reduce the ability to improve freshwater over time. Some discharges that previously could have received a consent no longer can.
- 11 On 26 June 2024, Cabinet agreed that the scope of the second RMA Amendment Bill (RM Bill 2) would include further consenting changes to clarify councils' ability to manage discharges [ECO-24-MIN-0113 refers].
- 12 Subsequently, a number of primary industry submitters³ on the Bill have requested that amendments to sections 70 and 107 be progressed as a matter of urgency. Environment Canterbury (ECAN) and Te Uru Kahika (who represent regional and unitary council interests) also raised this issue in submissions.

Analysis

Issue

- 13 The impact of the recent court decisions is a more restrictive standard when assessing discharge activities and a requirement for immediate, rather than progressive improvement over time. This is likely to result in more discharges needing consents; more consent applications being declined; and consent conditions becoming more restrictive.
- 14 The court decision on section 107 will restrict councils' ability to consent (and re-issue) across not only agriculture, but also other industries, including infrastructure, stormwater and wastewater.
- 15 The restriction on consenting may not align with the Government's enabling objectives for resource management reforms, and with settings in the National Policy Statement for Freshwater Management that enable:
- 15.1 improved outcomes for freshwater to be worked towards over time, and
 - 15.2 councils and communities to determine the timeframes and methods for achieving those outcomes.

The case for urgency – progressing changes to section 107 now through the Bill (rather than RM Bill 2)

- 16 The court decisions, taken together, mean existing discharges (eg, wastewater, meat processing, farming) in degraded catchments are unlikely to obtain renewal consents unless they can avoid all significant adverse effects from day one of a new consent.
- 17 Through submissions on the Bill, industry and councils are seeking urgent changes to section 107, to provide certainty for applicants, avoid costs and delays in consent processing, and ensure key social and economic infrastructure can continue to operate (eg, city wastewater systems).

³ Including DairyNZ, Fonterra Co-operative Group Limited, Irrigation New Zealand, Beef and Lamb New Zealand, Federated Farmers of New Zealand, Horticulture New Zealand, and several Canterbury irrigation schemes

- 18 Officials have also heard from councils that there are many discharge consents affected by these decisions. ECAN estimates at least 525 in Canterbury alone before mid-next year. If section 107 is not amended quickly, councils are likely to either:
- 18.1 decline a significant proportion of applications; or
 - 18.2 find 'work-arounds' to delay consent processing in anticipation of a law change. This will create uncertainty for applicants and significant costs for councils if unable to fully recover costs for processing consents where they do not meet processing timeframes.
- 19 Progressing these changes via this Bill has some risk, due to the limited opportunity for engagement. The proposals have not been discussed or tested with Māori groups. However, some feedback from stakeholders has already been provided through submissions on the Bill, and I have received written requests for amendment from councils and industry bodies.
- 20 I have considered the risks of progressing changes to section 107 through the Bill. Making these changes now will maximise certainty for consent applicants and minimise delays in consenting and associate costs for councils and applicants. I consider this to outweigh the risks.

Considering amendments to section 70 separately via RM Bill 2

- 21 I consider that any changes to section 70 are best addressed through RM Bill 2.
- 22 Changes to section 70 can happen separately, as there is not the same degree of urgency as there is for section 107. While the High Court's interpretation of section 107 will impact consents immediately, section 70 impacts how plans are developed and would not have effect until councils amend their plans.
- 23 Further, any changes to section 70 may result in greater environmental risk for relatively minor gains in certainty.
- 24 The RM Bill 2 process would enable some opportunity to engage with iwi/Māori before introduction and through Select Committee process, and to engage further with other stakeholders including local government and industry to inform changes and provide a full and balanced consideration of all options and implications.
- 25 I propose officials provide me and other relevant portfolio Ministers further advice on section 70 following further engagement and before the introduction of RM Bill 2.

Excluding diffuse discharges not recommended

- 26 Primary industry submitters have requested that diffuse discharges be excluded from sections 70 and 107. I consider that approach is not well-targeted to the underlying issues, nor is it sufficient by itself.
- 27 An approach that addresses all discharges (ie, both point source and diffuse) would provide a more comprehensive and enduring solution. This also aligns with the Government's objective to undertake resource management reform while still safeguarding the environment.

Amend section 107 to enable consenting where improvement will occur over time

- 28 I recommend changes to section 107 that enable a discharge consent to be granted where the discharge may lead to significant adverse effects on aquatic life, *if* the council is satisfied that:
- 28.1 receiving waters are already subject to significant adverse effects on aquatic life, and
 - 28.2 consent conditions would contribute to an overall reduction in those adverse effects over the duration of the consent.
- 29 This would apply equally to diffuse discharges and point source discharges and allow existing activities to continue while actions are taken to reduce and mitigate significant adverse effects over time. This approach is supported by Te Uru Kahika (which represents regional and unitary councils).
- 30 This approach recognises that receiving waters can already be subject to significant adverse effects; that granting a discharge consent can be consistent with improvement; and allows for that improvement to occur over an appropriate timeframe.

Transitional arrangements for consent applications already in-progress

- 31 Some consent applications will be in-progress when changes to section 107 take effect.
- 32 I recommend changes to section 107 should be accompanied by transitional provisions that clarify how in-progress consent applications should be treated. Specifically, that the amendments will apply to all resource consent applications, including those that have already been lodged.
- 33 Without such transitional provisions, the large number of consent applications already underway would either risk being declined or need to withdraw their application and start again at considerable cost to the applicant.

Treaty Impact Analysis

- 34 A detailed Treaty impact analysis will be completed alongside the impact analysis (see RIS section below). The following key issues have been identified:
- 34.1 § 9(2)(g)(i)
[REDACTED]
[REDACTED] There is likely to be significant interest in these changes from Māori groups.
 - 34.2 potential implications for Māori freshwater rights and interests given the increased scope for significant adverse environmental effects to continue for a time. Improving water quality has consistently been identified as the most important issue relating to Māori rights and interests in freshwater. Māori in degraded catchments may be particularly affected. § 9(2)(h)
[REDACTED]

Legal Implications *[Legally Privileged]*

35 s 9(2)(h) [Redacted]

36 s 9(2)(h) [Redacted]

Cost-of-living Implications

37 The proposed changes are expected to reduce the regulatory burden on the primary sector, councils and communities and therefore reduce impacts on the cost of living for agribusiness and other sectors.

Financial Implications

38 There are no direct financial implications to the Crown associated with the proposals in this paper.

Legislative Implications

39 I propose that amendments to section 107 be made via the Resource Management (Freshwater and Other Matters) Amendment Bill. Officials will provide advice and recommendations to the Committee that are consistent with the decisions in this paper, as part of the Departmental Report on the Bill.

40 These amendments to section 107 of the RMA would be within the scope of the Bill.

41 Should the Committee's recommendations to the House be inconsistent with Cabinet's decisions in this paper, I propose to instead progress these changes to the Bill via Amendment Paper to the Committee of the Whole House.

42 I also seek delegation from Cabinet to make further policy and drafting decisions that are consistent with the decisions made in this paper; and to instruct the Parliamentary Counsel Office to draft these amendments for inclusion in the Bill.

43 The proposed Bill will bind the Crown.

Impact Analysis

Regulatory Impact Statement

44 Cabinet's impact analysis requirements apply to the proposals in this paper but there is no accompanying Regulatory Impact Statement and the Ministry for Regulation has not exempted the proposal from the impact analysis requirements. Therefore, it does not meet Cabinet's requirements for regulatory proposals.

- 45 The Ministry for Regulation and the Ministry for the Environment have agreed that either a supplementary analysis report (SAR) will be provided before Cabinet Legislation Committee or a post-implementation review (PIR) will be developed and provided to Cabinet at a later date.

Climate Implications of Policy Assessment

- 46 The Ministry for the Environment has been consulted and confirms that the CIPA requirements do not apply to this proposal as the direct emissions impact cannot be accurately quantified. However, amending the Act to allow discharge consents under certain conditions could result in emissions continuing for longer compared to the status quo by removing constraints on emissions intensive activities.
- 47 For example, the status quo regulatory settings could lead to a reduction in livestock numbers or a shift to less intensive farming methods compared to the proposal.

Population Implications

- 48 No population implications have been identified for any specific population groups.

Human Rights

- 49 No policy implications have been identified relating to the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993.

Use of external Resources

- 50 No external resources have been used as part of this policy process.

Consultation

- 51 The following agencies were informed of the content of this paper: Ministry for Primary Industries, Te Arawhiti, Department of Conservation, Ministry of Business, Innovation and Employment, the Treasury, Department of Internal Affairs, Te Puni Kokiri, and the Ministry of Housing and Urban Development.

Communications

- 52 I intend to announce decisions on this matter as soon as possible after the Committee has reported back on the Bill.

Proactive Release

- 53 I intend to proactively release this paper and associated Committee papers and minutes within 30 business days of final decisions being confirmed by Cabinet, subject to redaction as appropriate under the Official Information Act 1982.

Recommendations

The Minister Responsible for RMA Reform recommends that the Committee:

Background

- 1 **note** the Government agreed objectives to guide the resource management reform work programme [ECO-24-MIN-0022]
- 2 **note** recent court decisions reduce the scope to permit or consent discharge activities (both point source, and diffuse – which are predominantly agriculture) and reduce the ability to improve freshwater over time
- 3 **note** that on 26 June 2024, Cabinet agreed that the scope of the second RMA Amendment Bill (RM Bill 2) would include further consenting changes to clarify councils' ability to manage discharges under ss 70 and 107 of the RMA [ECO-24-MIN-0113 refers]
- 4 **note** that a number of primary industry submitters on the Bill, and councils who have contacted me separately, have requested that amendments to sections 70 and/or 107 be progressed as a matter of urgency

Issue

- 5 **note** the court decisions will restrict councils' ability to consent (and re-issue) across not only agriculture, but also other industries, including infrastructure, and storm and wastewater
- 6 **note** these outcomes may not align with the Government's enabling objectives for resource management reforms, and with the settings in the National Policy Statement for Freshwater Management that enable:
 - 6.1 desired outcomes for freshwater quality to be worked towards over time
 - 6.2 councils and communities to determine the timeframes and methods for achieving those outcomes

The case for urgency – progressing changes to section 107 through the Bill (rather than RM Bill 2)

- 7 **note** that if section 107 is not amended quickly, councils will either decline a significant proportion of applications; or find 'work-arounds' to delay consent processing in anticipation of a law change, creating uncertainty and cost for applicants and councils
- 8 **note** ECAN estimates at least 525 discharge consents in Canterbury will be affected by these decisions before mid-next 2025
- 9 **note** that progressing these changes via the Bill has some risk, due to the limited opportunity for engagement, including with iwi Māori groups
- 10 **note** that I have considered the risks of progressing changes to section 107 through the Bill, but I recommend doing so as it will maximise certainty for consent applicants, and minimise delays in consenting and associated costs (for both councils and applicants)

Considering amendments to section 70 separately via RM Bill 2

- 11 **note** there is not the same degree of urgency for amendments to section 70, as the Courts' interpretation would not have effect until councils amend their plans
- 12 **note** that I consider changes to section 70 best addressed through RM Bill 2, to enable:
- 12.1 opportunity to engage with iwi/Māori before introduction and through Select Committee process
 - 12.2 further engagement with local government and industry to inform changes
 - 12.3 a full and balanced consideration of all options and implications
- 13 **note** officials will provide further advice on section 70 following further engagement and before the introduction of RM Bill 2

Excluding diffuse discharges not recommended

- 14 **note** primary industry support excluding diffuse discharges from sections 70 and 107 but I consider that approach is not well-targeted to the underlying issues, nor is it sufficient by itself
- 15 **note** I consider an approach that addresses all discharges (ie, both point source and diffuse) would provide a more comprehensive and enduring solution, which also aligns with the Government's objective to undertake resource management reform while still safeguarding the environment

Amend section 107 to enable consenting where improvement will occur over time

- 16 **agree** to progress changes to section 107 that enable a discharge consent to be granted where the discharge may contribute to significant adverse effects on aquatic life, if the council is satisfied that:
- 16.1 receiving waters are already subject to significant adverse effects on aquatic life, and
 - 16.2 consent conditions would contribute to an overall reduction in those adverse effects over the duration of the consent
- 17 **note** this approach would apply equally to diffuse discharges and point source discharges, and is supported by Te Uru Kahika (which represents regional and unitary councils)
- 18 **note** this approach:
- 18.1 recognises that receiving waters can already be subject to significant adverse effects
 - 18.2 recognises that granting a discharge consent can be consistent with improvement
 - 18.3 allows for that improvement to occur over an appropriate timeframe

Transitional provisions for consent applications already in-progress

- 19 **agree** that changes to section 107 will apply to all resource consent applications, including those already lodged with a consent authority
- 20 **note** that without such a transitional provision, a large number of consent applications already underway would either risk being declined or need to withdraw their application and start again, resulting in significant costs for applicants

Treaty Impact Analysis

- 21 **note** a Treaty impact analysis is not available at this time and will be completed alongside the impact analysis

Legislative implications

- 22 **note** that officials will provide advice and recommendations to the Committee that are consistent with the decisions in this paper, as part of the Departmental Report on the Bill
- 23 **agree** to introduce changes to the Bill via an amendment paper to the Committee of the Whole House, should the Committee's recommendations to the House be inconsistent with Cabinet's decisions on this paper
- 24 **authorise** the Minister Responsible for RMA Reform to:
- 24.1 make further policy and drafting decisions that are consistent with the decisions made in this paper
 - 24.2 instruct the Parliamentary Counsel Office to draft these amendments for inclusion in the Bill

Regulatory Impact Statement

- 25 **note** the Ministry for Regulation and the Ministry for the Environment have agreed that either a supplementary analysis will be provided before Cabinet Legislation Committee or a post-implementation assessment will be developed and provided to Cabinet at a later date

Communication

- 26 **note** that I intend to announce decisions on this matter as soon as possible after the Committee has reported back on the Bill.

Authorised for lodgement

Hon Chris Bishop

Minister Responsible for RMA Reform



Cabinet Economic Policy Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Clarifying Councils' Ability to Manage Discharges Under the Resource Management Act 1991

Portfolio RMA Reform

On 31 July 2024, the Cabinet Economic Policy Committee (ECO):

Background

- 1 **noted** that:
 - 1.1 in March 2024, ECO agreed to the objectives to guide the resource management reform work programme [ECO-24-MIN-0022];
 - 1.2 in May 2024, Cabinet approved for introduction the Resource Management (Freshwater and Other Matters) Amendment Bill (RM Bill 1) [CAB-24-MIN-0170];
- 2 **noted** that recent court decisions reduce the scope to permit or consent discharge activities (both point source and diffuse – which are predominantly agriculture) and reduce the ability to improve freshwater over time;
- 3 **noted** that in June 2024, ECO agreed that the scope of the second Resource Management Act 1991 (RMA) Amendment Bill (RM Bill 2) would include further consenting changes to clarify councils' ability to manage discharges under sections 70 and 107 of the RMA [ECO-24-MIN-0113];
- 4 **noted** that a number of primary industry submitters on RM Bill 1, and councils who have contacted the Minister Responsible for RMA Reform separately, have requested that amendments to sections 70 and/or 107 be progressed as a matter of urgency;

Issue

- 5 **noted** that the court decisions noted above will restrict councils' ability to consent (and re-issue) across not only agriculture, but also storm and wastewater, and other industries including infrastructure;
- 6 **noted** that the above outcomes may not align with the Government's enabling objectives for resource management reforms and with the settings in the National Policy Statement for Freshwater Management that enable:
 - 6.1 desired outcomes for freshwater quality to be worked towards over time;
 - 6.2 councils and communities to determine the timeframes and methods for achieving for achieving those outcomes;

The case for urgency – progressing changes to section 107 through RM Bill 1

- 7 **noted** that if section 107 of the RMA is not amended quickly, councils will either decline a significant proportion of applications, or find ‘workarounds’ to delay consent processing in anticipation of a law change, creating uncertainty and cost for applicants and councils;
- 8 **noted** that Environment Canterbury (ECAN) estimates that at least 525 discharge consents in Canterbury will be affected by these decisions before mid-2025;
- 9 **noted** that progressing changes via RM Bill 1 has some risk, due to the limited opportunity for engagement, including with iwi Māori groups;
- 10 **noted** that the Minister Responsible for RMA Reform has considered the risks of progressing changes to section 107 through RM Bill 1, but recommends doing so as it will maximise certainty for consent applicants, and minimise delays in consenting and associated costs (for both councils and applicants);

Considering amendments to section 70 separately in RM Bill 2

- 11 **noted** that there is not the same degree of urgency for amendments to section 70 of the RMA, as the Courts’ interpretation would not have effect until councils amend their plans;
- 12 **noted** that the Minister Responsible for RMA Reform considers that changes to section 70 would best be addressed through RM Bill 2, to enable:
- 12.1 the opportunity to engage with iwi/Māori before introduction and through the Select Committee process;
 - 12.2 further engagement with local government and industry to inform changes;
 - 12.3 a full and balanced consideration of all options and implications;
- 13 **noted** that officials will provide further advice on section 70 following further engagement and before the introduction of RM Bill 2;

Excluding diffuse discharges not recommended

- 14 **noted** that primary industry support excluding diffuse discharges from sections 70 and 107 of the RMA, but that the Minister Responsible for RMA Reform considers that approach is not well-targeted to the underlying issues, nor is it sufficient by itself;
- 15 **noted** that the Minister Responsible for RMA Reform considers an approach that addresses all discharges (both point source and diffuse) would provide a more comprehensive and enduring solution, which also aligns with the Government’s objective to undertake resource management reform while still safeguarding the environment;

Amend section 107 to enable consenting where improvement will occur over time

- 16 **agreed** to progress changes to section 107 of the RMA that enable a discharge consent to be granted where the discharge may contribute to significant adverse effects on aquatic life, if the council is satisfied that:
- 16.1 receiving waters are already subject to significant adverse effects on aquatic life; and
 - 16.2 consent conditions would contribute to an overall reduction in those adverse effects over the duration of the consent;

17 **noted** that the above approach would apply equally to diffuse discharges and point source discharges, and is supported by Te Uru Kahika (which represents regional and unitary councils);

18 **noted** that the above approach:

18.1 recognises that receiving waters can already be subject to significant adverse effects;

18.2 recognises that granting a discharge consent can be consistent with improvement;

18.3 allows for that improvement to occur over an appropriate timeframe;

Transitional provisions for consent applications already in-progress

19 **agreed** that changes to section 107 will apply to all resource consent applications, including those already lodged with a consent authority;

20 **noted** that without such a transitional provision, a large number of consent applications already underway would either risk being declined or need to withdraw their application and start again, resulting in significant costs for applicants;

Treaty of Waitangi impact analysis

21 **noted** that a Treaty of Waitangi impact analysis is not available at this time and will be completed alongside regulatory impact analysis and provided at a later date;

Legislative implications

22 **noted** that officials will provide advice and recommendations to the select committee that are consistent with the above decisions, as part of the Departmental Report on RM Bill 1;

23 **agreed** to introduce changes to RM Bill 1 via an Amendment Paper at the Committee of the Whole House stage, should the select committee's recommendations to the House be inconsistent with Cabinet's decisions;

24 **authorised** the Minister Responsible for RMA Reform to:

24.1 make further policy and drafting decisions that are consistent with Cabinet's decisions above;

24.2 issue drafting instructions to the Parliamentary Counsel Office to draft the above amendments for inclusion in RM Bill 1;

Regulatory Impact Statement

25 **noted** that the Ministry for Regulation and the Ministry for the Environment have agreed that either a supplementary analysis will be provided before Cabinet Legislation Committee consideration, or a post-implementation assessment will be developed and provided to Cabinet at a later date;

Communication

- 26 **noted** that the Minister Responsible for RMA Reform intends to announce decisions on the above matters as soon as possible after the select committee has reported back on RM Bill 1.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Winston Peters
Hon David Seymour
Hon Chris Bishop (Chair)
Hon Brooke van Velden
Hon Erica Stanford
Hon Paul Goldsmith
Hon Todd McClay
Hon Tama Potaka
Hon Melissa Lee
Hon Penny Simmonds
Hon Nicola Grigg
Hon Andrew Bayly
Hon Andrew Hoggard
Hon Mark Patterson
Simon Court MP

Officials present from:

Office of the Prime Minister
Office of Hon Chris Bishop
Office of Hon Andrew Bayly
Officials Committee for ECO