



# Cabinet

## Minute of Decision

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### Comprehensive Review of the Resource Management System: Confirming the Scope and Terms of Reference

**Portfolio**                      **Environment**

On 11 November 2019, following reference from the Cabinet Environment, Energy and Climate Committee, Cabinet:

#### Background

- 1        **noted** that on 27 June 2019, the Cabinet Environment, Energy and Climate Committee (ENV) agreed to undertake a comprehensive review of the resource management system, led by an expert Resource Management Review Panel (the Panel) [ENV-19-MIN-0036];
- 2        **noted** that the Minister for the Environment was asked to report back to Cabinet to finalise the scope and terms of reference for the review following initial consultation;

#### Scope of the review

- 3        **agreed** that the final scope of the review will be a comprehensive review of the Resource Management Act 1991 (RMA), including work on spatial planning across the RMA, Local Government Act 2002 (LGA) and Land Transport Management Act 2003 (LTMA);
- 4        **noted** that the spatial planning work will take a broad scope that explores the full range of potential benefits of spatial planning across the resource management system;
- 5        **noted** that:
  - 5.1      the Minister for the Environment has agreed with the Minister of Fisheries that coastal occupation charging will be considered by the review;
  - 5.2      officials will report back to relevant Ministers in late 2019 on whether open aquaculture should be included in the review;
- 6        **noted** that issues relating to Māori rights and interests in freshwater allocation are out of scope, but that the Waitangi Tribunal's recommendations relating to the RMA in their Wai 2358 Freshwater and Geothermal Resources report will be considered as part of the review;

#### Engagement with Māori

- 7        **noted** the feedback from Māori that they expect to be closely involved throughout the review;

- 8 **noted** that the Panel will engage with Māori through national level bodies and regional hui led by the Ministry for the Environment to help identify issues and test high level recommendations;
- 9 **agreed** that the next phase of the review, following the delivery of the Panel's report, will be a broad, open process of public consultation following Cabinet consideration of the Panel's proposals;
- 10 **noted** that the Minister for the Environment will direct officials to look for appropriate opportunities to collaboratively refine and co-design policy options with Māori during the next phase of the review in line with Cabinet's agreed Guidelines for Engaging with Māori;
- 11 **noted** that the Minister for the Environment will report to the Cabinet Māori Crown Relations: Te Arawhiti Committee report on issues for Māori arising from the review before the Panel provides its final report;

### Terms of reference

- 12 **agreed** to the final terms of reference for the review attached in Appendix 2 of the paper under ENV-19-SUB-0061, subject to:
- 12.1 inclusion in Appendix 1 of a reference to the allocation of marine space for aquaculture and offshore wind;
- 12.2 any minor or technical changes authorised by the Minister for the Environment prior to their release;

### Other matters

- 13 **noted** that reference groups relating to te ao Māori, the urban and built environment, and the rural and natural environment will be established to supplement the skills of the Panel;
- 14 **noted** that reference groups will include members with economics expertise;
- 15 **noted** that the Minister of the Environment intends to use ENV as the Ministerial governance group for the review.

Michael Webster  
Secretary of the Cabinet

*Secretary's Note: This minute replaces ENV-19-MIN-0061. Cabinet amended paragraph 13.*

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### Hard-copy distribution:

Prime Minister  
Deputy Prime Minister  
Minister for the Environment