

**In Confidence**

Office of the Minister for the Environment

Chair, Cabinet Environment, Energy and Climate Committee

**Institutional arrangements for the Spatial Planning Act**

**Proposal**

- 1 This paper seeks agreement to institutional arrangements to operationalise the Spatial Planning Act (SPA) and support central government's new role in the development of regional spatial strategies (RSS).

**Relation to Government Priorities**

- 2 The Labour Party 2020 Manifesto committed to repealing the Resource Management Act 1991 and replacing it with the Natural and Built Environment Act (NBA) and the SPA this parliamentary term. This was confirmed by Cabinet in December 2020 [CAB-20-MIN-0522] and is consistent with the overarching Government priority of *Laying the Foundations for the Future*.

**Executive Summary**

- 3 The SPA will work in tandem with the NBA, and later with the Climate Adaptation Act, to set up a framework for using, developing and protecting the environment. The Spatial Planning Bill and the Natural and Built Environment Bill have been introduced to Parliament and referred to the Environment Committee. The Climate Adaptation Bill will be introduced in 2023.
- 4 The SPA will establish spatial planning throughout the country on a sound basis. The SPA will fill key gaps in New Zealand's resource management system, ensuring better outcomes including well-functioning urban environments, adequate housing and infrastructure, and healthy natural environments.
- 5 The SPA will require the creation of 15 RSS across the country, each of which will be developed by a regional planning committee (RPC). RSS will focus on a vision for each region, and the big issues and opportunities the region will face over the next 30 plus years. Central government will have a significant new role in contributing to RPC (with a representative on each) when they are developing RSS and implementation plans.
- 6 Cabinet agreed to establish the Strategic Planning Reform Board – an interdepartmental executive board (IEB) under the Public Service Act 2020 – to develop the SPA [CBC-21-MIN-0063; DEV-21-MIN-0019 refers], and it has worked well. (The Board is currently referred to as the Spatial Planning Reform Board.)
- 7 Resource management reform has been overseen by a Ministerial Oversight Group (MOG). I recommend that Cabinet confirm the in-principle decision taken at the MOG #17 meeting that an IEB be responsible for governing the implementation of the SPA. An IEB draws together Chief Executives to deal with complex issues that have impacts and policy solutions which sit across a wide range of portfolio areas.

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- 8 The most efficient way to give effect to this decision is for an IEB to succeed the existing Strategic Planning Reform Board, with modified functions. The Ministry for the Environment (MfE) will continue as the IEB's servicing department. The IEB's name will change to the Spatial Planning Board.
- 9 The Spatial Planning Board will have the following functions:
  - I. contributing to RPC by:
    - i. coordinating central government's strategic priorities
    - ii. supporting Ministerial appointees throughout the RSS development process
    - iii. supporting the development of implementation plans
    - iv. supporting the Treasury with its budget coordination and prioritisation function, to ensure central government investment flowing from RSS is sequenced and prioritised appropriately
    - v. coordinating central government engagement in each RSS process
  - II. overseeing, monitoring, evaluating and reporting on the effectiveness of the SPA
  - III. supporting the transition and ongoing implementation of the SPA.
- 10 The recommendations in this Cabinet paper allow for the Spatial Planning Board to be in place by 1 July 2023, by when the SPA and NBA should be passed. The key recommendations relate to the functions of the Board, its servicing department, and the agencies within its remit. Other matters, such as the membership of the Board and its Chair, will be determined by the Public Service Commissioner.

## Background

*Cabinet agreed to enact the Spatial Planning Act with a more active role for central government in the resource management system*

- 11 The Spatial Planning Act (SPA) will work in tandem with the Natural and Built Environment Act (NBA), and later with the Climate Adaptation Act (once enacted), to set up a framework for using, developing and protecting the environment; and enabling development within environmental limits.
- 12 Spatial planning in New Zealand is inconsistent, and the SPA will establish it throughout the country on a sound future basis. The SPA will fill key gaps in the current resource management system, ensuring better outcomes including well-functioning urban environments, adequate housing and infrastructure, and healthy natural environments.
- 13 The SPA will require the creation of 15 regional spatial strategies (RSS) across the country, each of which will be developed by a regional planning committee (RPC). RSS will focus on a vision for each region, and the big issues and opportunities the region will face over the next 30 plus years. For example, RSS will help enable infrastructure to be affordably delivered in the right places, at the right time, to provide affordable housing and liveable cities and towns, and to avoid natural hazards.

- 14 To address the key gaps in the current system, the Ministerial Oversight Group (MOG) agreed at MOG #14 that the SPA will:
- a. enable and drive change and adaptation for significant land, water and coastal use and development in regions
  - b. support local government, iwi, Māori and central government working in partnership to achieve the best long-term outcomes for a region
  - c. coordinate and commit public and private investment to support the region's aspirations.
- 15 To achieve these objectives (in particular, 14(c)), the SPA will require investment plans under the Land Transport Management Act 2003 to be consistent with the relevant RSS. It will also require long-term plans under the Local Government Act 2002 to take active steps towards achieving an RSS.
- 16 It is intended that the new Water Service Entities be subject to similar requirements. I will be seeking Cabinet decisions on this at the appropriate time as Water Services Entities legislation and the Spatial Planning Bill progress.
- 17 To ensure the SPA effectively addresses current system gaps, central government will have a significant new role in contributing to RPC and the development of their RSS, and implementation plans sitting under RSS. These plans will help co-ordinate investment in the regions and will be an input to central government funding processes through the Budget (but will not be determinative). The diagram in Appendix 1 illustrates this relationship.
- 18 The MOG and delegated Ministers have agreed to significant and ongoing functions for central government under the SPA. A detailed list of relevant ministerial decisions for the SPA is provided in Appendix 2 and a diagram illustrating the roles of central government in the new system is provided in Appendix 3.
- 19 Ministers agreed at MOG #16 that there would be one ministerially appointed central government member on each RPC, when it develops its RSS. The ministerial appointee will have voting powers and joint responsibility for developing, consulting on, approving, monitoring, and reviewing RSS and implementation plans. The appointee will have a duty to communicate central government's strategic priorities to the RPC, guided by advice from the Spatial Planning Board (see from paragraph 27 below) and the agencies within its remit.

*A cross-agency approach is needed to effectively support these central government functions*

- 20 The development of RSS will impact on a broad range of portfolios including environment, conservation, economic development, housing, transport, other infrastructure, health, coastal marine, climate change, Māori Crown relations, Māori development, and local government.
- 21 Accordingly, an institutional set-up is needed that provides effective integration across multiple central government portfolios at the strategic and technical level. This includes strategic objectives, managing trade-offs, and working collectively to provide an all-of-government view into regional spatial planning.

- 22 The central government RPC member must be able to represent an all-of-government position at the regional level, which will not be relitigated or undermined a later stage. There is also a need to ensure portfolio Ministers and central government delivery agencies are all working towards the agreed priorities for the region.
- 23 A spectrum of institutional arrangements have been considered that could support the cross-agency implementation of the SPA. These ranged from appointing a lead agency supported by an informal Chief Executives group, through to establishing a new Ministry responsible for planning.
- 24 An interdepartmental executive board (IEB) under the Public Service Act 2020 aligns strategic policy, planning and budgeting around shared issues, within the mandate of each of the Chief Executives' agencies. Chief Executive membership is designated by the Public Service Commissioner from the group of relevant agencies (referred to as the IEB's remit agencies).
- 25 An IEB strikes a balance between the less formal lead agency approach, while retaining more flexibility than a planning Ministry or Crown agency. Under the IEB model, relevant departmental Chief Executives are jointly accountable to an appropriate Minister (as determined by the Prime Minister), providing a high level of both individual responsibility for and collective ownership of, spatial planning issues.
- 26 An IEB is likely to be more cost effective and collaborative than a standalone Ministry and does not require significant institutional change. It can employ staff and draw on the expertise of other agencies to deliver its functions. An IEB is flexible, as its remit, name, servicing department and functions can be amended through secondary legislation. The establishment of an IEB is preferable to establishing an entity to perform similar functions through the SPA itself. It also leaves open options for future institutional reform, if this is deemed necessary in the future.

*A Spatial Planning Board is to be set up*

- 27 Accordingly, I recommend that Cabinet endorse the in-principle MOG #17 decisions on 12 April 2022 that:
- a. an IEB govern the implementation of the SPA
  - b. the IEB has stewardship, oversight, monitoring, and administration responsibility for the SPA, with the SPA formally administered by the IEB's servicing department.
- 28 I also recommend:
- a. the remit of the amended IEB includes: the Ministry for the Environment, Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development, Ministry of Transport, Department of Internal Affairs, Department of Conservation, the Treasury, Te Arawhiti, Te Puni Kōkiri, Ministry for Primary Industries, Ministry of Business, Innovation and Employment, Ministry for Culture and Heritage, Ministry of Health, and Ministry of Education – collectively referred to as 'remit agencies'
  - b. the servicing department of the IEB be the Ministry for the Environment
  - c. the IEB be called the Spatial Planning Board to reflect its new functions and mandate

d. the appropriate Minister responsible for the Board be the Minister for the Environment.

29 The most efficient way to give effect to this recommendation is for the new IEB to succeed the existing Strategic Planning Reform Board, with modified functions, and with 'Reform' removed from the name. The IEB's remit will remain the same, with the addition of the Ministry of Health and the Ministry of Education. The Ministry for the Environment (MfE) will continue as the IEB's servicing department. (Note: the Strategic Planning Reform Board is currently referred to as the Spatial Planning Reform Board.)

30 I considered a number of viable options for the Spatial Planning Board's servicing department, including the Department of Internal Affairs. On balance, for efficiency and continuity reasons, I recommend the Board be serviced by MfE (as the current Spatial Planning Reform Board is). As the Board will be independent, the servicing department will not have direct control of its work. The Board will have its own identity, independent of MfE. The role of MfE as servicing department will be to provide premises along with digital and administrative services.

31 There will be a need to balance an all-of-government position with agencies' statutory authority to make independent submissions to RPC. The IEB structure is not intended to constrain individual agencies from providing expertise to each RPC secretariat, to assist in preparation of the RSS. Rather, the IEB structure is intended to support agencies to work effectively with each RPC secretariat and provide expert advice. Agencies will also have a duty to assist the RPC by providing information or technical support at the committee's request.

32 The decisions in this Cabinet paper allow for the Spatial Planning Board to be in place by 1 July 2023, by when the SPA and NBA should have been passed.

*To support this more active role, there are functions the Spatial Planning Board must perform*

33 Building on the decisions to date, I recommend Cabinet agree to the following functions for the Spatial Planning Board:

- I. contributing to RPC by:
  - i. coordinating central government's strategic priorities
  - ii. supporting Ministerial appointees throughout the RSS development process
  - iii. supporting the development of implementation plans
  - iv. supporting the Treasury with its budget coordination and prioritisation function to ensure central government investment flowing from RSS is sequenced and prioritised appropriately
  - v. coordinating central government engagement in each RSS process
- II. overseeing, monitoring, evaluating and reporting on the effectiveness of the SPA
- III. supporting the transition and ongoing implementation of the SPA.

34 I anticipate that, in performing these functions, the Spatial Planning Board will be doing the following:

a. **Contributing to RPC.** This will involve:

- i. *coordinating* central government's strategic priorities – this is a key function and will involve communicating central government's combined strategic priorities, for RSS.

These priorities will be considered and endorsed by Cabinet, as they will involve high-level choices and trade-offs across portfolios. They will be a core part of supporting the central government RPC member to participate in the RPC and will provide that appointee with a Cabinet backed mandate.

Central government's strategic priorities for each region may be refined during the RPC using an iterative process, which could require further Cabinet agreement

- ii. *supporting* Ministerial appointees throughout the RSS development process. This could include drawing on relevant expertise to identify or commission appropriate technical, strategic, or policy advice; for example, by supporting regions to use consistent population projections
- iii. *supporting* the negotiation of implementation plans. These will be essential to the prioritising and sequencing of investment decisions
- iv. *supporting* the Treasury with its budget coordination and prioritisation function, to ensure central government investment flowing from RSS, is sequenced and prioritised appropriately
- v. *coordinating* central government engagement in each RSS process. This could include supporting agency engagement with RPC secretariats to assist them in the preparation of the RSS – for example, by providing technical information. Some agencies, such as the Department of Conservation, also have statutory authority to make independent submissions to RPC and this process should not constrain that mandate.

b. **Overseeing, monitoring, evaluating and reporting on the effectiveness of the SPA and contributing to an integrated view of how the resource management system is performing by working with the Ministry for the Environment (MfE) on joint products covering both the SPA and NBA.** This will include:

- i. *publishing* a framework for integrated monitoring, reporting and evaluation
- ii. *providing* system evaluation reports to responsible Ministers at least every six years
- iii. *providing* annual reports on the monitoring of system performance in a form that is easily accessible to the public

- iv. *responding* to reports by the National Māori Entity (provided for under the NBA) and by the Parliamentary Commissioner for the Environment, as required
- v. *providing* regulatory stewardship of the SPA.<sup>1</sup>

c. **Supporting the transition and ongoing implementation** of the SPA through the establishment of model regions and the formation of regional planning committees, in conjunction with MfE, as the agency responsible for NBA implementation.

35 As part of the Crown and in delivering its functions under the SPA, the Spatial Planning Board will have a responsibility to meet all Crown Treaty obligations. The Board will need to maintain sufficient capability in te ao Māori, mātauranga Māori and Māori Crown relations to carry out these responsibilities.

36 While the Spatial Planning Board's functions are SPA-specific, the Board will take a system perspective to its work, as its predecessor board has done in the development of the SPA, ensuring integration with the roll-out of the NBA and the National Planning Framework (NPF) developed under it. Cross-agency work on the NBA and NPF implementation will also continue.

*Support for the Spatial Planning Board and the central government members on RPC*

37 I anticipate the need for the IEB to have a dedicated and significant support unit. Central government participation in RSS builds on the experience of the Urban Growth Partnerships (which already require co-ordinated central government support and input) but is significantly larger in both scope (as RSS are wider than urban growth issues) and coverage (as RSS are region-wide, rather than concentrated on the key growth centres). Decisions about staffing have not yet been finalised.

38 Budget 22 provided tagged contingency funding for resource management reform implementation: strategic planning. A detailed proposal to the Minister of Finance and me, seeking on-going funding drawdown, will be prepared following Cabinet's agreement to matters in this paper. The proposal will also be provided to the Minister for the Public Service to consider the workforce impact.

*Board Chair, membership and independent advisors*

39 The membership and chair of the Spatial Planning Board will be designated by the Public Service Commissioner from the Board's remit agencies, in consultation with the Minister for the Public Service and the appropriate Minister, and other relevant sources at the Commissioner's discretion.

40 The Public Service Commissioner can appoint independent advisors to an IEB. The appointees do not have decision-making authority on a board, but may include persons who are not public service Chief Executives. Crown entity representatives may be appointed as independent advisors.

41 As Crown entities, infrastructure planning and delivery agencies such as Te Waihanga, Waka Kotahi and Kāinga Ora – Homes and Communities, are ineligible to be included within the Board's remit. However, as the existing Urban Growth Partnerships

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<sup>1</sup> Note that the statutory system performance functions in relation to the SPA will sit with the Chief Executive of the agency responsible for the administration of the SPA, ie the Secretary for the Environment, while the day to day management responsibility for the SPA will sit with the IEB.

demonstrate, their contribution to the practice of spatial planning is critical. The Spatial Planning Board and the remit agencies responsible for these Crown entities will ensure their perspectives are well integrated.

- 42 Water Services Entities will be statutory entities and will work closely with RPC at the regional level. The Water Services Entities will play an important infrastructure planning function and there may be a role for the Department of Internal Affairs to play in communicating this perspective to the Spatial Planning Board.
- 43 The Spatial Planning Board will also need to maintain processes to involve other departments with an operational interest in spatial planning, at the national and regional level – for example, Land Information New Zealand, Department of Corrections, and Ministry of Social Development.
- 44 I do not recommend including these agencies in the remit of the Spatial Planning Board, due to the Board's strategic nature and RSS being high level. However, the Board will have to work closely with non-remit agencies and utilise their expertise where necessary, as well as ensuring their priorities are considered. Regional Public Service Commissioners could play an important role in connecting operational interests, at a regional level, into the RPC and central government member.

#### *Further work and advice*

- 45 Officials will also provide me with further advice on a framework for developing central government priorities; the scope, role, mandate and appointment process of the central government RPC appointees; and other detailed design decisions for the amended IEB (including detailed costings for the new functions) and ensuring that there is no duplication of function across governmental reforms.

#### **Financial Implications**

- 46 Funding for the Spatial Planning Board will be by way of a fiscally neutral transfer from within Vote Environment for 2023/24, for approval by joint Ministers through the baseline update process, with precise funding to be confirmed in early 2023.
- 47 There is tagged contingency funding for strategic planning implementation in 2024/25 and 2025/26 and outyears provided for in Budget 22. This is intended to fund the Spatial Planning Board. The Minister of Finance and I have the authority to agree to the drawdown of this tagged contingency upon receipt of an acceptable detailed proposal for the use of the funding. We expect to receive this proposal from officials in early 2023.

48 s 9(2)(f)(iv) & s 9(2)(g)(i)

#### **Legislative Implications**

- 49 Orders in Council are required to create the new Spatial Planning Board. The most efficient way is to amend the remit and change the name of the existing Strategic Planning Reform Board.
- 50 The Minister for the Public Service will issue drafting instructions to give effect to decisions made by Cabinet on the recommendations in this paper. The changes will come into effect when they appear in Schedule 2, Part 2 of the Public Service Act 2020.

## Impact Analysis

### *Regulatory Impact Statement*

- 51 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirm that the CIPA requirements do not apply to this proposal, as the threshold for significance is not met.
- 52 The Treasury's Regulatory Impact Analysis team has determined that the proposal to change the Strategic Planning Reform Board into the Spatial Planning Board, and agree to the functions of that board, is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor impacts on businesses, individuals, and not-for-profit entities as it relates to the internal administration of government. This proposal is part of a broader set of policy changes that have been supported by previous impact analysis: CAB-22-MIN-0458 refers.

### Population Implications

- 53 There are no population implications associated with this paper.

### Human Rights

- 54 These proposals are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

### Consultation

- 55 The following departments provided feedback on this paper: Ministry of Education; Ministry for the Environment; Te Kawa Mataaho Public Service Commission; Māori Crown Relations: Te Arawhiti; the Treasury; Ministry for Social Development; Ministry of Health; Department of Conservation; Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development; Ministry of Transport; Department of Internal Affairs; and Land Information New Zealand. Feedback was also received from the Regional Public Sector Commissioners. The Department of the Prime Minister and Cabinet was informed.
- 56 The paper was provided to the Ministry for Primary Industries, Te Waihanga, Ministry of Business Innovation and Employment, Department of Corrections, Ministry for Culture and Heritage, New Zealand Defence Force, Oranga Tamariki, Parliamentary Counsel Office and Te Puni Kokiri.
- 57 The Regional Public Sector Commissioners, Te Tai Kaha, the Freshwater Iwi Leaders Group and the Local Government Steering Group were also consulted.

### Communications

- 58 Following Cabinet decisions, I propose to make a public announcement regarding the Spatial Planning Board.

### Proactive Release

- 59 I propose to proactively release this paper at the time of the announcement.

## Recommendations

The Minister for the Environment recommends that the Committee:

### *Background*

- 1 **note** that the Resource Management Act 1991 is to be repealed and replaced this parliamentary term by the Spatial Planning Act (SPA) and Natural and Built Environment Act (NBA)
- 2 **note** that the SPA will work in tandem with the NBA, and later with the Climate Adaptation Act, to set up a framework for using, developing and protecting the environment; and enabling development within environmental limits
- 3 **note** that the Spatial Planning Bill and Natural and Built Environment Bill have been introduced to Parliament and referred to the Environment Committee, and that the Climate Adaptation Bill will be introduced in 2023
- 4 **note** that the SPA will establish spatial planning throughout New Zealand, and fill key gaps in the current resource management system, ensuring better outcomes including well-functioning urban environments, adequate housing and infrastructure, and healthy natural environments
- 5 **note** that the SPA will require the creation of 15 regional spatial strategies (RSS) across the country, each of which will be developed by a regional planning committee (RPC)
- 6 **note** that RSS will focus on a vision for each region, and the big issues and opportunities the region will face over the next 30 plus years
- 7 **note** that to ensure the SPA effectively addresses current system gaps, central government will have a significant new role in contributing to the RPC and the development of their RSS and implementation plans.
- 8 **note** that this role will enable collaboration across a range of agencies, including through the central government members on RPC (one on each)

### *Setting-up of Spatial Planning Board*

- 9 **agree** that an interdepartmental executive board (IEB) be established under the Public Service Act 2020 to govern the implementation of the SPA; and have ongoing stewardship, oversight, and monitoring responsibility for the SPA
- 10 **agree** that this IEB be called the Spatial Planning Board, which would succeed the existing Strategic Planning Reform Board (currently referred as the Spatial Planning Reform Board), with modified functions
- 11 **agree** that the Spatial Planning Board have the following functions:
  - I. contributing to regional planning committees by:
    - i. coordinating central government's strategic priorities
    - ii. supporting Ministerial appointees throughout the regional spatial strategy development process

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- iii. supporting the development of implementation plans
  - iv. supporting the Treasury with its budget coordination and prioritisation function to ensure central government investment flowing from regional spatial strategies is sequenced and prioritised appropriately
  - v. coordinating central government engagement in each regional spatial strategy process
- II. overseeing, monitoring, evaluating and reporting on the effectiveness of the SPA
- III. supporting the transition and ongoing implementation of the SPA
- 12 agree that the remit of the Spatial Planning Board will include the Ministry for the Environment; Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development; Ministry of Transport; Department of Internal Affairs; Department of Conservation; the Treasury; Te Arawhiti; Te Puni Kōkiri; Ministry for Primary Industries; Ministry of Business, Innovation and Employment; Ministry for Culture and Heritage; Ministry of Health; and Ministry of Education – collectively referred to as 'remit agencies'
- 13 note that Ministerial Oversight Group (MOG) Ministers agreed in principle at MOG #17 on 12 April 2022 that the SPA be formally administered by the IEB's servicing department
- 14 agree that the servicing department for the SPA be the Ministry for the Environment, and that the Ministry will administer the Spatial Planning Act
- 15 agree that the members of the Spatial Planning Board will be jointly responsible to the Minister for the Environment
- 16 note that the Public Service Commissioner will designate the membership and chair of the Spatial Planning Board from the board's remit agencies, in consultation with the Minister for the Public Service and appropriate Minister and other relevant sources at the Commissioner's discretion; and can also, after such consultation, appoint independent advisors to the Board (without decision-making authority on the Board)
- 17 invite the Minister for the Public Service to instruct Parliamentary Counsel Office to draft the Orders in Council necessary to implement recommendations 12, 14 and 15
- 18 note that the Minister for the Environment, in consultation with the Ministers responsible for the Spatial Planning Board's remit agencies, will make further decisions on a framework for coordinating central government priorities, and the scope, mandate and appointment process for central government RPC members, and other design decisions for the Board

*Financial implications*

- 19 note that the Spatial Planning Board will be funded via a fiscally neutral transfer within Vote Environment for the 2023/24 year
- 20 note that the Spatial Planning Board will be funded in the 2024/25, 2025/26 and outyears from the tagged contingency created at Budget 22, upon presentation of a detailed proposal by officials and agreement by the Minister of Finance and Minister for

the Environment, in consultation with the Minister for the Public Service, on the workforce impact

21 s 9(2)(f)(iv) & s 9(2)(g)(i)



Authorised for lodgement

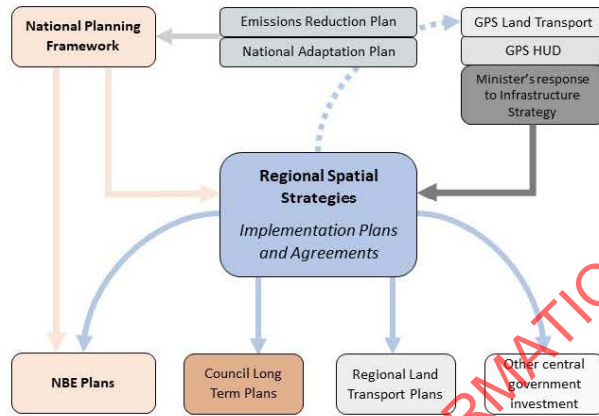
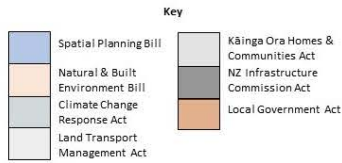
Hon David Parker  
Minister for the Environment

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Appendices

Appendix 1: RSSs will integrate planning decisions across different legislation

- RSS must *give effect* to the National Planning Framework to the extent the NPF directs, or otherwise *be consistent with* it. The NPF *cannot be inconsistent with* the Emissions Reduction Plan and National Adaptation Plan.
- RSS must have *particular regard* to Government Policy Statements and will *take into account* the Minister's response to the Infrastructure Strategy.
- Natural and Built Environment Plans must *be consistent with* applicable RSS.
- Council Long Term Plans will take *active steps* to implement RSS, and Regional Land Transport Plans will *be consistent with* RSS. The GPS Land Transport must also *take into account* relevant RSS.
- Central government participation in RSS will inform investment decisions in the annual Budget process.



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**Appendix 2: Ministerial decisions on institutional arrangements for the implementation of the Spatial Planning Act**

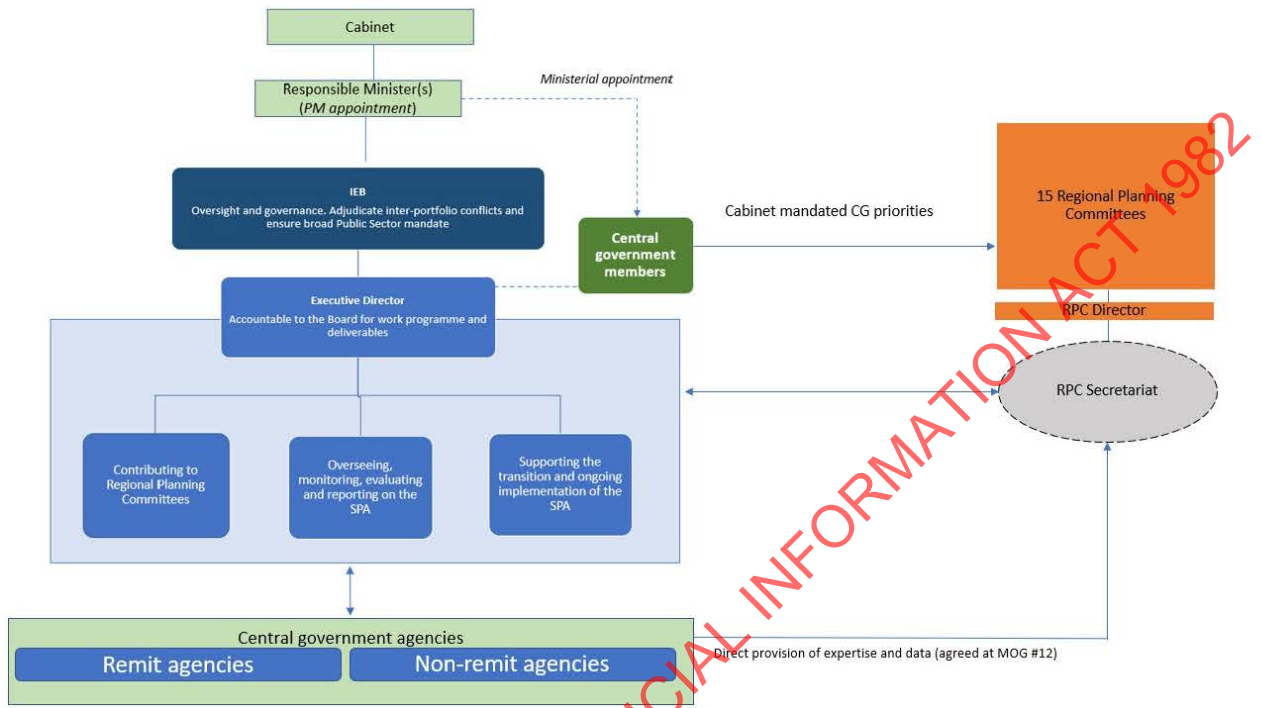
MOG 11+12	Ministers agreed that Ministers will have powers to direct central government agencies to provide technical input to the joint committees preparing RSS.
MOG 14	<p>Ministers agreed that:</p> <ol style="list-style-type: none"> <li>a. the SPA require a summary Implementation Plan for each RSS</li> <li>b. the SPA enable the Implementation Plan to be supported by optional multilateral or bilateral Implementation Agreements to give effect to the Implementation Plan</li> <li>c. the combined purpose of Implementation Plans and Agreements is to provide a collaborative mechanism to link projects and programmes to funding streams from different sources, connect key parties, and sequence infrastructure provision and other implementation actions in a logical way</li> <li>d. any party with a role in the regulation or delivery of a priority action identified in the Regional Spatial Strategy be able to enter into an Implementation Agreement</li> <li>e. Implementation Agreements do not need to be approved by RSS joint committees</li> <li>f. Implementation Plans commit the parties through self-enforcing mutual obligation, supported by incentives and good relationships among partners and stakeholders</li> <li>g. where parties choose to enter into Implementation Agreements, the Agreements commit those parties through self-enforcing mutual obligation, supported by incentives and good relationships</li> <li>h. Implementation Agreements would not be expected in relation to business-as-usual projects, or projects or suites of projects that have already been Agreed elsewhere, such as projects Agreed to be funded through the National Land Transport Fund</li> </ol> <p>Ministers agreed in principle that Implementation Plans be approved by RSS joint committees in consultation with other delivery partners, to be revisited if required following further decisions on joint committees</p>
MOG 16+17	<p>Ministers agreed that:</p> <ol style="list-style-type: none"> <li>a. central government will be members of Regional Planning Committees;</li> <li>b. there will be one central government member per committee;</li> <li>c. central government members will be ministerial appointees;</li> <li>d. committee members will have voting powers;</li> <li>e. committee members will have joint responsibility for developing, consulting on, approving, monitoring, and reviewing RSS and implementation plans through decision-making.</li> <li>f. one of central government's functions in the new system should be to provide strategic direction into the system.</li> </ol> <p>Ministers agreed in principle that an interdepartmental executive board support the implementation of the Spatial Planning Act that the IEB has stewardship, oversight, monitoring, and administration responsibility for the SPA, with the SPA formally administered by the IEB's servicing department (to be determined through Cabinet decisions on the IEB).</p>
BRF-1716	Ministers agreed in principle that for matters and decisions relating to the SPA, a member appointed by the Minister responsible for the SPA would join the committee, and note that, as agreed at MOG #16, this member would not participate in NBA plan process or decision-making.

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	<p>Minister agreed that the central government member of a committee will have a duty to communicate central government's strategic priorities to the joint committee and to corral central government agencies to engage with the SPA process.</p>
BRF-1225	<p>Ministers agreed to amend the Local Government Act 2002 provisions to change the disclosure requirements in Long-Term Plans and local authorities' annual reports so interested people can see both what local authorities plan to do to implement RSS and what they have done to implement RSS.</p> <p>Agreed to amend the Local Government Act 2002 provisions relating to significance and engagement policies so local authorities recognise obligations to implement RSS.</p> <p>Agreed to amend the LTMA provisions so the Government Policy Statement take into account the RSS.</p> <p>Agreed to amend the LTMA provisions so the Regional Transport Committees and Auckland Transport must develop RLTPs that are consistent with the relevant RSS, while retaining the ability to consider matters outside the RM system (ie, business-as-usual investment in the existing transport network).</p>

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Appendix 3: Roles of central government in the new system



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