



Cabinet

CAB Min (02) 26/19

Minute of Decision

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Convenor, Ministerial Group on Climate Change
Minister for the Environment

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Minister of State Services	Chief Parliamentary Counsel
Minister of Education	Legislation Coordinator
Minister of Fisheries	Secretary, POL

Climate Change IV: The Role of the Resource Management Act (RMA)

On 7 October 2002, following reference from the Cabinet Policy Committee (POL), Cabinet:

- 1 **agreed** to amend the Resource Management Act (RMA) to:
 - 1.1 remove the ability of regional councils to consider effects on climate change when making a rule in a plan in relation to a discharge-to-air from any industrial or trade premises activities; and
 - 1.2 remove the ability of regional councils to consider effects on climate change of discharge-to-air activities when making a decision on a resource consent application;

while retaining the ability of councils to have regard to effects of activities on climate change when carrying out other functions and duties under the Resource Management Act;

- 2 **agreed** that the amendment outlined in paragraph 1 should proceed with the intention of enacting it within the next 12 months and should not await the introduction of a pricing mechanism or the beginning of the first commitment period (2008-2012);

- 3 **agreed** to the following transitional arrangements, to accompany the amendment outlined in paragraph 1:
 - 3.1 that there be no effect on existing resource consents where the consent holder has already given effect to the consent; and
 - 3.2 for existing RMA plans, that the rules relating to the control of the effects on climate change of greenhouse gas emissions from any industrial and trade premise become null and void;
- 4 **agreed** to include in the 2002 legislative programme a Bill to implement the above decisions and that the Bill be accorded priority 5 (drafting instructions to PCO to be provided in 2002);
- 5 **noted** that the work programmes on the role of the Resource Management Act in renewable energy and energy efficiency, and adaptation to the effects of climate change, are being brought forward to report to POL by 30 November 2002 on whether amendments are required to further support climate change policy;
- 6 **noted** that any proposed amendments to the RMA arising from the work programmes in paragraph 5 would be linked to the above amendment so to create a single climate change Resource Management Act Amendment Bill;
- 7 **noted** that there will be targeted consultation with Local Government New Zealand and other key stakeholders over any proposed amendments to the RMA on renewable energy and energy efficiency, and adaptation;
- 8 **noted** the advice of the Convenor, Ministerial Group on Climate Change that this issue will be the subject of consultation with other parties represented in Parliament.

Secretary of the Cabinet

Reference: CAB (02) 397; POL Min (02) 15/8