

Te pūnaha whakahaere rauemi o anamata

Te whakawhanake i ngā wāhanga whai ake

Our future resource management system

Developing the next stages



Disclaimer

The information in this publication is, according to the Ministry for the Environment's best efforts, accurate at the time of publication. The Ministry will make every reasonable effort to keep it current and accurate. However, users of this publication are advised that:

- the information does not alter the laws of New Zealand, other official guidelines, or requirements
- it does not constitute legal advice, and users should take specific advice from qualified professionals before taking any action based on information in this publication
- the Ministry does not accept any responsibility or liability whatsoever whether in contract, tort, equity, or otherwise for any action taken as a result of reading, or reliance placed on this publication because of having read any part, or all, of the information in this publication or for any error, or inadequacy, deficiency, flaw in, or omission from the information in this publication
- all references to websites, organisations, or people not within the Ministry are for convenience only and should not be taken as endorsement of those websites or information contained in those websites nor of organisations or people referred to.

This document may be cited as *Our Future Resource Management System: Developing the next stages*. Wellington: Ministry for the Environment.

Published in March 2023 and updated in April 2023 by the
Ministry for the Environment
Manatū Mō Te Taiao
PO Box 10362, Wellington 6143, New Zealand

ISBN: 978-1-991077-38-7

Publication number: ME 1749

© Crown copyright New Zealand 2023

This document is available on the Ministry for the Environment website:

www.environment.govt.nz

Contents

Message from the Secretary for the Environment	5
Part one: Introduction	8
Developing the next stages of the resource management reforms	9
Working together on the resource management reforms	11
Other topics of interest	12
Part two: Topics for discussion	16
National Planning Framework	17
Regional implementation	43
Climate adaptation and mitigation	47
Land-use and emissions pricing	50
Appendix 1: Questions for discussion	54
Appendix 2: Glossary of terms	56
Appendix 3: Resource management system reform key documents	57

Tables

Table 1:	Timeline for National Planning Framework development	18
Table 2:	National Planning Framework overarching layer	23
Table 3:	Direction on key considerations for regional planning committees	25
Table 4:	General changes suggested to align RMA national direction with the new RM system	27
Table 5:	Changes to existing national direction instruments	28
Table 6:	NPF direction that supports regional planning committees	30
Table 7:	Risk assessment framework	32
Table 8:	Attributes of mandatory matters for environmental limits	33
Table 9:	Framework outcomes and supporting policies for infrastructure	36
Table 10:	Framework for outstanding natural features and landscapes	39
Table 11:	Framework for cultural heritage	40
Table 12:	Direction on urban trees	42
Table 13:	Significant natural areas criteria	42

Figures

Figure 1:	Key components of the future resource management system	8
Figure 2:	RM system transition and implementation timeline	44

Message from the Secretary for the Environment

Tēnā koutou katoa

Our thoughts are with all whānau, hapū, iwi and Māori across Aotearoa New Zealand who have been recently affected by Cyclone Gabrielle, Cyclone Hale and other extreme weather events. We at the Ministry for the Environment are thinking of all those who live in these impacted areas. We hope they are safe and prioritising the health and wellbeing of their whānau.

We are very aware of the significant recovery job ahead. The Ministry is currently assisting with the broader government response in a number of ways, including options for support in the immediate and longer term to assist the recovery. We also want to signal that we have work underway across our programmes to look at what we can do to support the recovery.

We are currently working on developing emergency legislation to support the recovery, alongside other agencies. Our experience with other disasters is that legislative amendments are often needed to assist the recovery. We have identified that there will likely need to be amendments made to the Resource Management Act 1991, Waste Minimisation Act 2008 and Climate Change Response Act 2002 to assist the response.

These recent weather events have brought home to all who live in Aotearoa New Zealand that climate change is impacting us right here, right now. We urgently need to both reduce emissions and help our communities be better prepared for future climate change impacts.

This underscores the importance of effective resource management, climate mitigation and adaptation, and infrastructure planning to protect communities. We are focused on ensuring the changes to the resource management system are enduring by reducing risks and enabling responses to future similar weather events and other natural hazards.

We are planning for the next stages of the reform journey, anticipating that the Natural and Built Environment Bill and the Spatial Planning Bill to be passed in mid-2023. We will adjust our plans as necessary to reflect the new legislation.

We are acutely aware that there is a considerable amount of reform and change happening across the motu, creating unease and challenges in engagement. However, when it comes to preparing for the growing threat of climate change and reversing decades of decline in te taiao, time is not on our side. We need to act with urgency. I encourage you to engage with the information in this document before the regional hui, so you can help shape the new system.

This is my first month leading the Ministry for the Environment. However, I was previously the chief executive at Hawke's Bay Regional Council, so I am no stranger to the resource management system and the challenges our nation faces. For too long we have been too slow in taking the action needed to protect both our communities and the environment. I look forward to seeing the new system developed, so it protects and restores te taiao and improves the wellbeing of us all.

Ngā mihi nui

A handwritten signature in black ink, appearing to read 'James Palmer', written in a cursive style.

James Palmer
Secretary for the Environment

Wāhanga tuatahi

Tīmatanga kōrero

Part one

Introduction



Part one: Introduction

The new resource management system represents a new way of thinking that seeks a shared vision and focuses on a shared aspiration to protect and restore te taiao and improve the wellbeing of people across Aotearoa New Zealand.

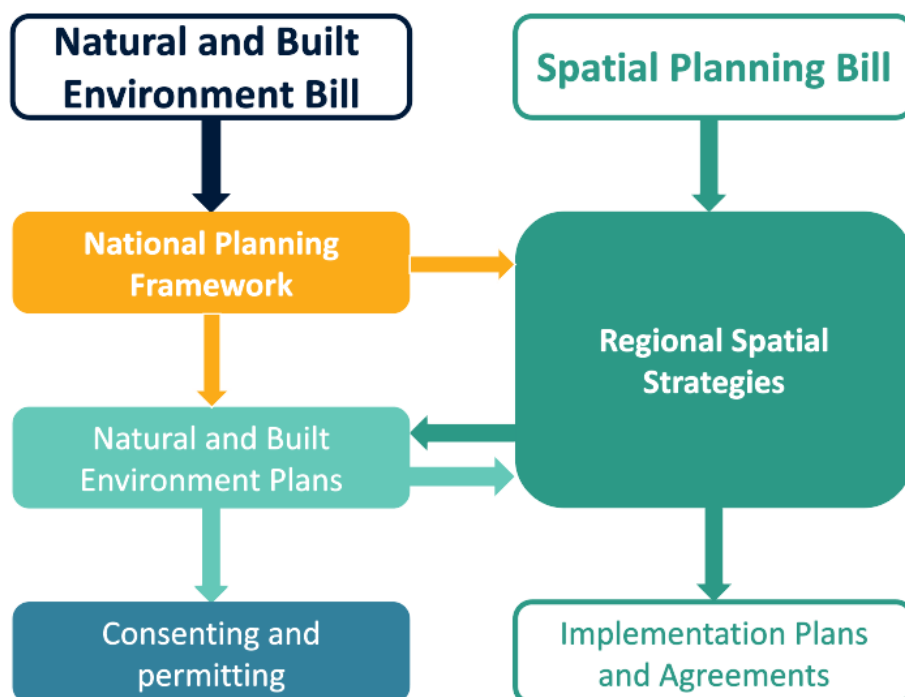
Three new pieces of legislation will replace the Resource Management Act 1991 (RMA). They are the:

- Natural and Built Environment Act (NBE Act), the main replacement for the RMA, to protect and restore the environment while better enabling development
- Spatial Planning Act (SPA), which requires the development of regional spatial strategies (RSSs) and implementation plans, to help coordinate and integrate long term-strategic decisions in each region
- Climate Adaptation Act (CAA), to address complex issues associated with managed retreat.

The [Natural and Built Environment Bill](#) (NBE Bill) and [Spatial Planning Bill](#) (SP Bill) were introduced to Parliament on 22 November 2022. The Environment Committee is currently considering them through the select committee process and we are planning for them to be passed in mid-2023. We will adjust our plans accordingly to reflect the new legislation.

These Bills establish the framework for a new system as outlined in figure 1.

Figure 1: Key components of the future resource management system



The Climate Adaptation Bill is likely to be introduced to Parliament in 2023 and enacted the following year.

More information on our future resource management system

When the NBE and the SP Bills were introduced into Parliament in November 2022, the Ministry for the Environment (the Ministry) published [Our Future Resource Management System: Overview](#).

This document sets out the key components of the new resource management system as proposed in these Bills. It was designed to provide a high-level overview of the new system to help people as they submitted on the legislation. We haven't repeated this information in this document. We encourage you to read the other document to better understand the resource management reform context.

Developing the next stages of the resource management reforms

In anticipation of the Bills being passed in mid-2023, we are planning the next stages of reform and will adjust these plans to reflect the final legislation. This includes planning for the transition to the new system and developing secondary legislation. This includes the National Planning Framework (NPF), climate adaptation and mitigation, as well as information on the regional implementation of the proposed new system.

[Part two](#) of this document provides detailed information on these topics, including a series of questions to guide your discussion. We welcome your input into how these proposals should be shaped. In summary:

- **The NPF** is secondary legislation under the NBE Act and will act as the link between the primary legislation and regional decision making. It consolidates national environment policy statements, planning standards and regulations into one coherent planning framework that directs how regions plan for growth and manages the natural environment and development.
- The NPF will provide central government direction for regional planning and support the development of regional spatial strategies (RSSs) and natural and built environment plans (NBE plans). It will also be required to give effect to the principles of te Tiriti o Waitangi and uphold te Oranga o te Taiao. We are aiming to notify the NPF later in 2023 before it will need to undertake a statutory Board of Inquiry process that will provide further opportunity for input from the community and Treaty partners.

- **Environmental limits and targets form part of the NPF** – Setting environmental limits and targets to prevent further ecological degradation and improve environmental targets is a key feature of the new resource management system. We need to ensure that limits and targets reflect mātauranga Māori and te ao Māori perspectives. We are planning workshops with mana whenua in May and June 2023, and are keen to start a kōrero with you about these at the hui in March and April.

- **Climate change and managed retreat** – The development of the Climate Adaptation Bill, which will enable the planned relocation of people and buildings from at-risk areas, alongside other adaptive responses, is in the policy-design phase and due to be introduced in 2023. We are committed to engaging with Māori about how to build a managed retreat system that protects and preserves connection to people, place and culture for future generations.

Adverse weather events like Cyclone Gabrielle, and before that Cyclone Hale, have highlighted the need for a pathway to support the difficult choices that communities face in determining what the right adaptation options are for them. The Government has also established the Cabinet Extreme Weather Recovery Committee to work directly with councils on the local response in affected areas. Short-, medium- and long-term solutions are now being considered.

- Our response to climate change requires a significant transition for both our economy and how we live. This will have significant impacts on land use. The **Emissions Trading Scheme** is the primary policy tool to reduce emissions. The urgency of the climate response means that decisions need to be made in parallel to other reforms, like the proposed resource management system, three waters and climate adaptation.
- In anticipation of the passing into law of the NBE Bill and SP Bill, we are starting to plan for the **regional implementation** of the new resource management system. This includes establishing regional planning committees to develop the new RSSs and NBE plans.

Iwi and hapū will be important delivery partners in the new resource management system, along with local government. We will outline some initiatives that are designed to support and enable implementation of the new system at a regional level.

Through the regional hui, we are aiming to take a more connected approach across the resource management context, our climate markets policy and how we adapt to climate change. This is so that decisions that shape the economic drivers for land use through the climate response, are connected to the resource management-related decisions that will support how we use land to not have adverse impacts on environmental, social and cultural outcomes.

Importantly for Māori, this is so that you can engage in joined-up conversations that recognise the cumulative impacts/opportunities for Māori as Rangatira and kaitiaki.

Working together on the resource management reforms

We appreciate the willingness of our Tiriti partners and iwi/Māori, along with local government and sector stakeholders to work with us to help shape the new resource management legislation.

We understand that the new resource management system must respond to the recovery and resilience building of Māori, now and in the future.

Many of you may have previously attended regional hui on the proposed resource management system and we would like to thank the whānau, hapū, iwi, land trusts, technicians and technical specialists who attended these.

That feedback has informed policy thinking and tested policy options, thus helping shape ministerial decisions, directly leading to the policy decisions that enabled the introduction of the NBE and SP Bills.

We recognise the high demands placed on Māori from many sectors of government. We appreciate your commitment and value the perspectives you provide.

Regional and online hui

We are reaching out to you again through a series of regional hui that will be held across the motu in the next two months. There will also be a series of online hui for people who cannot attend in person.

The hui provide an opportunity for hapū/iwi/Māori to provide feedback on policy proposals for the NPF, climate adaptation and emissions work. We will also present to you thinking about regional implementation and the roll out of the new system.

A similar document is being prepared for local government on the National Planning Framework, noting that the board of inquiry process will be the main vehicle for public consultation on the first iteration of the NPF.

The timing for the regional hui is being guided by iwi in each region. If you are interested in the schedule for your region, contact RMevents@mfe.govt.nz.

Another way to have your say

Besides attending the online and regional hui, you can also email feedback to RM.reform@mfe.govt.nz. We will also be sharing a social point link in the near future as another channel for feedback. Social point is an interactive engagement platform.

Bringing us closer together

We recognise the amount of environmental reform underway and are committed to improving how we engage at the local and regional levels. To support this, the Ministry has just established a new regional partnerships team that will change how we engage with local authorities, and with iwi and Māori regionally.

By creating better partnerships, the team will ensure that:

- we listen to you, our policies consider differences between regions, and initiatives are implemented as well as they can be
- we are joined up as a Ministry and you know who you are engaging with, about what and when
- our partners are supported with increased capacity locally.

Our approach includes three key areas of focus:

1. creating more effective mechanisms to support pan-iwi national-implementation relationships
2. establishing mechanisms to develop stronger, enduring relationships at place
3. supporting an uplift in iwi environmental capacity to engage with the Ministry.

This is about having consistent relationships in the regions so we can better understand your aspirations and how we can better work alongside you. The new team will include new kaiwhakatere (regional navigators) enabling us to tailor our engagement to each region's needs.

Other topics of interest

Upholding Tiriti o Waitangi settlements and existing arrangements under the RMA in the new system

The RMA intersects with over 70 Tiriti settlement arrangements and Ngā Hapū o Ngāti Porou (NHNP) commitments. Engagement with post-settlement governance entities (PSGEs) and NHNP is underway to reach agreement on how to honour these arrangements and uphold settlements under the new reform legislation.

Along with PSGEs and NHNP, we are also working with other hapū and iwi representative groups, who have existing resource management arrangements, to ensure these agreements are upheld in the new system.

As proposals for amending Tiriti settlements are agreed, the changes will be formalised and Bills to amend Tiriti settlement legislation will be prepared. These Bills will be introduced to Parliament after the SP and NBE Bills are passed.

Te Takutai Moana Act 2011

The Crown is committed to upholding rights under the [Marine and Coastal Area \(Takutai Moana\) Act 2011](#) (Takutai Moana) in the new resource management system. There are nearly 600 applications for recognition of customary interests that have been made to the High Court or directly to the Crown. These applications are for customary marine title and protected customary rights. Customary interests have been recognised by the High Court in some areas and there is ongoing work by the Crown and the High Court to progress applications with iwi, hapū and whānau around Aotearoa.

Some rights under Takutai Moana connect to the resource management system and enable rights holders to have a say over what happens in their customary area, ensure customary activities can be carried out and have influence over plans that shape what people can do in the coastal marine area.

Under the new resource management system, at a national level, the Minister for the Environment and the Minister of Conservation – when developing and reviewing coastal content for the NPF – must seek and consider the views of groups who have had customary marine title recognised. Protected customary rights must also be recognised and provided for by decision makers, and the NPF can contain content about the protection and exercise of protected customary rights.

Customary marine title groups also have the right to prepare a planning document and hold a permission right over some resource consents. Resource consent applicants must seek the views of iwi, hapū and whānau who have made applications under Takutai Moana on resource consents in their application area.

Because of these interests, engagement on the NPF includes seeking the views of customary marine title groups on all coastal related content proposed for inclusion in the NPF, as well as groups who are applying for recognition of customary marine title.

Māori and freshwater allocation

Cabinet committed to not precluding Māori rights and interests in freshwater early in the resource management reform process. A preservation clause in the SP and NBE

Bills records that assurances were made by the Crown in 2012 regarding rights and interests in freshwater and geothermal resources. The preservation clause makes clear that the Bills do not create or transfer any proprietary rights or interests or determine or extinguish any rights or interests that may exist.

The NBE Bill provides for the establishment of a freshwater working group. It will provide recommendations on matters relating to freshwater allocation, and on a process for engagement between the Crown and iwi and hapū, at the regional or local level, on freshwater allocation.

Wāhanga tuarua

Ngā kaupapa kōrerorero

Part two

Topics for discussion



Part two: Topics for discussion

This section covers the following topics:

- National Planning Framework
 - NPF overarching layer
 - Direction on conflict resolution
 - National direction under the RMA (1991)
 - Climate change mitigation
 - Natural hazards risk management and climate adaptation
 - Environmental limits and targets
 - Infrastructure
 - Outstanding natural features and landscapes
 - Cultural heritage
 - Urban trees
 - Significant biodiversity area criteria
- Regional implementation
 - Transition to the new system
 - Implementing the new system
 - First tranche regions
 - A stronger role for iwi/hapū in the new system
- Climate adaptation and mitigation
 - Climate Adaptation Bill
 - Other work underway
 - Natural hazards and climate change
 - Land-use and emissions pricing

At the end of each topic, there is a series of questions to help guide discussion and feedback.

National Planning Framework

A key element of the new system is the National Planning Framework (NPF), which is the new system's equivalent to 'national direction' under the Resource Management Act 1991 (RMA). The NPF will provide direction for regional and local decision making on matters important enough to warrant a nationally coordinated approach.

The NPF will be secondary legislation under the Natural and Built Environment Act (NBE Act) and will act as the link between the primary legislation and regional decision making. The NPF will provide central government direction for regional planning and support the development of regional spatial strategies (RSSs) and natural and built environment plans (NBE plans) described below.

The Natural and Built Environment Bill (NBE Bill) contains requirements that relate to the NPF, including:

- supporting the purpose of the NBE Act to enable the use, development and protection of the environment and recognise and uphold te Oranga o te Taiao (clauses 3 and 33)
- giving effect to the principles of te Tiriti o Waitangi (clause 4)
- providing for a range of natural and built system outcomes (clause 5)
- being made in a way that reflects the decision-making principles (clause 6)
- setting environmental limits and targets (clauses 38 and 49).

Please refer to Part 3 and Schedule 6 of the NBE Bill, which contain most of the provisions about the contents and process for developing the NPF.

We have learnt from the experiences of the current national direction under the RMA that we need to provide a coherent and consistent set of national direction that will provide investment certainty. Currently, under the RMA, national direction is provided across more than 20 different national policy statements, national environmental standards, national planning standards and regulations. These documents and their functions will be consolidated into a single NPF, contributing to a more integrated set of central government direction to inform how we use, protect, and manage our natural and built environments. Existing national direction that is fit for purpose will be rolled over into the NPF.

Bringing all of this national direction together in one place also provides an opportunity for the NPF to have 'overarching' or 'cross-cutting' direction that will sit across the suite of topic-specific direction.

Why are we developing the National Planning Framework now?

The NBE Bill requires the Minister for the Environment to notify an NPF within six months of the Bill coming into effect. The first NPF is one step in the transition to a new system and will need to be in place in time to inform the development of RSSs by an initial group of regions. Work on the shape of the NPF is underway now to meet this timeframe. We are progressing on the basis of the NBE Bill as it was when it was introduced to Parliament. However, we acknowledge that if the Bill changes, we will have to make sure the NPF is aligned with these changes.

We are seeking your input to inform the development of the first NPF proposals. This document provides a summary of our initial thinking on the scope of the first NPF. Further detail on specific aspects can be provided through this engagement process, if required.

A full public consultation and hearings process run by an independent board of inquiry will follow notification. This will provide further opportunity to have input into the development of the first NPF. The board of inquiry will hear submissions and provide recommendations on the first full NPF proposal. This process will inform final decisions on the first NPF, expected to be made by Cabinet in late 2024.

Table 1 sets out key steps in the timeline for developing the first NPF.

Table 1: Timeline for National Planning Framework development

Milestone	Estimated timeframe
National Planning Framework (NPF) engagement with post-settlement governance entities and with iwi/hapū through regional hui, prior to board-of-inquiry consultation process	2 nd quarter 2023
Ministerial decisions on new NPF content	2 nd quarter 2023
Passage of Natural and Built Environment Bill, followed by Cabinet approval to notify first NPF	Mid-2023
Notification of first NPF	3 rd quarter 2023
Board-of-inquiry process (public submissions heard by board of inquiry)	4 th quarter 2023
Final Cabinet decisions on the first NPF	Late 2024

Note: Details subject to change.

How will transition to the new system work?

We anticipate that the transition period until NBE plans are operative will be 7 to 10 years. During this time, national direction created under the RMA will remain in force and continue to direct transitional decision making. The NPF will not have legal effect on decisions made under RMA plans and policy statements during this time. The NPF will provide direction for the development of RSSs and NBE plans.

The NPF will be delivered in stages, with the first NPF scheduled for notification in 2023. This will have a tightly defined scope, prioritising direction needed for RSSs. More detailed direction to inform the development of NBE plans will be provided in future amendments to the NPF.

RSSs will be rolled out in tranches and the development of NBE plans would follow in the four years after a region finalises its RSS. The new resource management system would not be fully in effect in a region until the first NBE plan in that region is in effect.

During the transition period:

- the RMA national direction will remain in force, to continue directing transitional decision making
- powers under the RMA to develop and amend RMA national direction will remain in force
- the NPF will not have legal effect on decisions made under RMA plans and policy statements; the NPF will focus on the development of RSSs and NBE plans.

The Ministry for the Environment (the Ministry) is in the early stages of considering the content and timing of future NPF amendments, and these will be subject to further ministerial decisions. The Ministry will publish a roadmap of future NPF amendments, to provide a clear signal as to what is coming next in the NPF. This will include additional detailed direction to inform NBE plans.

We welcome your input on additions to the NPF as even though they may not be ready in time for inclusion in the first NPF, they will be factored into the second.

Regional spatial strategies to be consistent with the National Planning Framework

RSSs are required to be consistent with the NPF, but the NPF will not provide comprehensive requirements for what RSSs must do for all domains. This is because:

- RSSs will not regulate or provide all direction needed for regulation in, NBE plans, as they will not comprehensively cover all land use in a region.
- how directive RSSs will be will vary across issues – they will not have direct regulatory effect
- while an RSS will align with regional boundaries, it is not expected to provide strategic direction for all that region. It only needs to address the places where change is:
 - unavoidable and there needs to be coordinated effort to ensure good outcomes

- desirable, to improve outcomes for the community or environment, and multiple parties need to be involved.

Tiriti o Waitangi settlements

The NBE Bill requires that Tiriti settlements must be given the same or equivalent effect as under the RMA (Schedule 2, clause 3). There are over 70 Tiriti settlements, along with the Ngā Rohe Moana o Ngā Hapū o Ngāti Pōrou Act 2019, and Marine and Coastal Area (Takutai Moana) Act 2011 arrangements that interface with the RMA. These Tiriti settlements are primary legislation and have paramountcy over the NPF, and each needs to be considered in the development of the NPF.

Any changes to the planning system, including NPF content, may have implications for Tiriti settlements. We need to ensure these Tiriti settlement agreements are honoured, and their effects are retained in the new system. We are interested in your feedback on how the NPF content we are considering may impact the way Tiriti settlements are implemented.

First National Planning Framework – suggested approach

The first iteration of the NPF will focus on bringing together existing RMA national direction alongside new direction to fill key gaps in the resource management system. This new direction will primarily be focused on what is needed to inform the development of RSSs.

We are considering whether the first NPF could include the following components:

- integrating the policy intent of all existing RMA national direction into a consistent regulatory framework and updating specific elements in those instruments to reflect key changes to the resource management system in the Bills. This will be the majority of the content of the first NPF.
- an overarching layer that provides direction that applies across the NPF, including on decision making, how to resolve competing outcomes and other conflicts, engagement at the regional and local level, and monitoring the NPF.
- new national direction to provide for system outcomes in the NBE Bill not covered by existing RMA national direction:
 - new direction on infrastructure, that will include infrastructure standards
 - protection or restoration of outstanding natural features and landscapes
 - conservation of cultural heritage
 - recognition of, and making provision for, the relationship of iwi and hapū and the exercise of their kawa, tikanga (including kaitiakitanga) and mātauranga in

- relation to their ancestral lands, water, sites, wāhi tapu, wāhi tūpuna and other taonga
- protection of Takutai Moana protected customary rights and recognition of statutory acknowledgements
 - reduction of greenhouse gas emissions and removal of these gases from the atmosphere
 - risk reduction and resilience to the effects of natural hazards and climate change.
- requirements and surrounding policy for an initial set of limits and targets. These must be set for six mandatory matters (air, indigenous biodiversity, coastal water, estuaries, fresh water and soil).

Indicative structure of the first National Planning Framework

Chapters	National Planning Framework (NPF) content
Preliminary provisions	<ul style="list-style-type: none"> • Commencement • Interpretation, including consolidation of definitions across the NPF
Overarching layer	<ul style="list-style-type: none"> • Direction on the approach to decision making under Natural and Built Environment Bill (NBE Bill), particularly direction on te Oranga o te Taiao and managing conflicts between outcomes • Direction on processes for engaging with the community and Māori • Direction on monitoring the performance of the NPF
Domain chapters	<p>Each domain chapter to contain (if needed):</p> <ul style="list-style-type: none"> • outcomes • policies • implementing outcomes and policies • limits and targets • rules <p>monitoring requirements.</p>
Freshwater	<ul style="list-style-type: none"> • National Policy Statement for Freshwater Management (NPS-FM) • National Environmental Standards for Freshwater (NES-F) • Stock-exclusion regulations (under Resource Management Act 1991 [RMA], section 360) • National Environmental Standards for Sources of Human Drinking Water (NES-DW)
Urban development	<ul style="list-style-type: none"> • National Policy Statement for Urban Development (NPS-UD) • Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 – includes medium density residential standards
Infrastructure	<ul style="list-style-type: none"> • New infrastructure direction providing outcomes and RSS direction • New infrastructure standards

Chapters	National Planning Framework (NPF) content
	<ul style="list-style-type: none"> National Environmental Standards for Telecommunication Facilities (NES-TF) National Policy Statement for Electricity Transmission (NPS-ET) National Environmental Standards for Electricity Transmission (NES-ET) National Policy Statement for Renewable Electricity Generation (NPS-REG)
Coastal and marine	<ul style="list-style-type: none"> New Zealand Coastal Policy Statement (NZCPS) National Environmental Standards for Marine Aquaculture (NES-MA) Marine-pollution regulations (under RMA, section 360)
Biodiversity	<ul style="list-style-type: none"> National Policy Statement for Indigenous Biodiversity (NPS-IB) Exemption regulations (under RMA, section 360)
Soil	<ul style="list-style-type: none"> National Environmental Standards for Assessing and Managing Contaminants in Soil (NES-CS) National Environmental Standards for Storing Tyres Outdoors (NES-Tyres)
Air	<ul style="list-style-type: none"> National Environmental Standards for Air Quality (NES-AQ) (in part)
Climate change and natural hazards	<ul style="list-style-type: none"> Elements of other national direction (eg, NZCPS [policies 24, 25, 26 and 27], NPS-UD [policies 1 and 6], NPS-FM [policy 4], NPS-ET [policy 1], NPS-REG) National Policy Statement/National Environmental Standards on industrial-process heat (greenhouse gas emissions) Other new climate mitigation and natural hazard direction
Cultural heritage	<ul style="list-style-type: none"> Elements of NZCPS (policy 17) and NPS-UD New high-level direction on cultural heritage
Outstanding natural features and landscapes	<ul style="list-style-type: none"> Elements of NZCPS (Policy 15) New high-level direction on outstanding natural features and landscapes
Rural areas and highly productive land	<ul style="list-style-type: none"> National Environmental Standards for Plantation Forestry (NES-PF) National Policy Statement for Highly Productive Land (NPS-HPL)
Plan processes	<ul style="list-style-type: none"> National planning standards Updated zone framework and mapping standards RSS template

NPF overarching layer

The NPF is intended to be a more integrated and consistent framework than the separate instruments currently prepared under the RMA. There are likely to be topic-specific chapters of the NPF, as shown in the structure in the table above. We think there is value in including a chapter that sits across these topics for broad system

direction, to help integrate and provide consistent direction across the NPF. We are calling this the ‘overarching layer.’

We consider the three priority areas for the overarching layer in the first NPF could be:

- further direction on the approach to decision making under the Natural and Built Environment Bill (NBE Bill), particularly, direction on te Oranga o te Taiao and managing conflicts between outcomes.
- processes for engaging with Māori and the community, recognising that specifying a ‘one-size-fits-all’ approach to managing natural resources and working with local communities is likely to be inappropriate
- monitoring the performance of the NPF.

The NBE Bill includes a clause that requires that all persons exercising powers and performing functions and duties under the Bill, if enacted, must give effect to the principles of te Tiriti. This has implications for both the process to develop and the substance of the NPF and regional planning documents (RSSs and NBE plans).

NPF direction to regional planning committees on Māori involvement in plan development is intended to ensure good process is followed by these committees, while still allowing for regional flexibility.

Table 2: National Planning Framework overarching layer

Component of overarching layer	
Decision making	
<p>Applying the purpose and the key Natural and Built Environment Act (NBE Act) provisions to the National Planning Framework (NPF)</p>	<p>Our initial view is that direction is needed to support the intended approach to decision making under the NBE Act (see Part 1 of the Natural and Built Environment Bill [NBE Bill]). This would support the shift to an ‘outcomes-based’ system and help ensure te Oranga o te Taiao is upheld at the regional level. Direction could include the following:</p> <ul style="list-style-type: none"> • clear prioritisation of achieving limits and targets as part of regional planning processes • how to apply an outcomes-based approach to planning, including a focus on achieving benefits for multiple outcomes • how to manage conflicts between outcomes throughout the system (see further information) • stating that regional planning committees (RPCs) have an obligation to protect protected customary rights and recognise any relevant statutory acknowledgements, and perhaps require RPC to identify and collate these in their region.

Component of overarching layer	
Limits and targets implementation	Requirements for environmental limits and targets will form part of the domain chapters of the NPF and attributes will be listed in a technical appendix (like the approach taken in the National Policy Statement for Freshwater Management). In addition, direction is needed on how to set management units, including integration across the domains for which environmental limits and targets must be set. There may also be other general process direction that applies to setting limits and targets that could sit in the overarching layer.
Cross-cutting concepts	Cross-cutting issues that are addressed in many pieces of national direction should be consolidated in the overarching layer of the NPF, to avoid unnecessary variation and duplication. One example is requirements for ‘integrated management’, which are described differently in different pieces of national direction. Another is the time horizon needed for planning decisions, including the long-term planning needed for climate-related issues (currently only addressed in the New Zealand Coastal Policy Statement, but with wider relevance).
Engagement	
Māori involvement	<p>The NBE Bill requires the NPF to provide direction on all ‘system outcomes’. Our initial thinking is that direction on the relationship of iwi and hapū and their taonga (see clause 5(e) of the NBE Bill) is best addressed through procedural direction that ensures Māori values and interests inform decision making at the regional and local levels. It is inappropriate to establish a one-size-fits-all approach to this outcome at the national level, but the NPF should support this outcome to be provided for within each region.</p> <p>The NBE Bill establishes Māori representation on RPC and includes provision for engagement agreements, Mana Whakahono ā Rohe, joint management agreements, local government Māori participation policies, and a register of Māori groups with relevant interests.</p> <p>The Spatial Planning Act (SPA) provides for engagement agreements as a mechanism for an RPC and Māori groups with interests in the region to agree how the groups are to participate in preparing a regional spatial strategy.</p> <p>The NPF can assist in ensuring these provisions work as intended and are implemented efficiently by:</p> <ul style="list-style-type: none"> • providing additional process direction for local government and RPC, perhaps to determine which Māori groups they will engage with and how • specifying a nationally consistent set of matters that must be discussed with Māori • providing a consistent approach to Māori involvement in plan making across multiple domains in the NPF.
Community engagement in target setting processes	Limits and targets will be set through natural and built environment plans. However, there may be a need for additional process direction for RPCs to set targets for listed attributes based on community aspirations and values.

Component of overarching layer	
Monitoring	
Monitoring system performance	<p>The NBE Bill requires the NPF to state how its effectiveness and implementation will be monitored (see clause 56(2) of the NBE Bill). The NBE Bill also requires the NPF to require the monitoring and reporting of environmental limits and targets, including enabling aggregation of data at the national level and Māori involvement in monitoring (see clause 53 of the NBE Bill).</p> <p>The overarching layer could therefore include indicators and a method for monitoring implementation of the NPF, including its contribution to NBE Act outcomes, and the implementation of limits and targets. We will need to consider how this aligns with monitoring and evaluation requirements in existing Resource Management Act 1991 national direction.</p>

Direction on conflict resolution

A key role for the NPF is “helping to resolve conflicts about environmental matters, including conflicts between resource management system outcomes” ([clause 33 of the NBE Bill](#)). For example, the need to provide infrastructure may conflict with the need to protect outstanding landscapes. The NPF cannot resolve all conflicts and these need to be managed and considered at all levels of the new system, including in the NPF, RSSs and NBE plans.

In the NPF, we anticipate that there will be content that assists decision makers in addressing conflicts in both the overarching layer and domain-based content. The overarching layer could provide direction on principles or requirements to support good decision making, while content in domain-based chapters will provide direction on specific conflicts. We are still considering several options for this direction. The NBE Bill is still under consideration, and we will need to ensure that any direction in the NPF aligns with the NBE Act.

Table 3 provides an indication of the direction the NPF could provide to regional planning committees requiring a specific set of matters to be considered.

Table 3: Direction on key considerations for regional planning committees

Direction on key considerations for regional planning committees
Consider the results of engagement with Māori about how to recognise and uphold te Oranga o te Taiao and how best to respond
Prioritise measures to achieve environmental limits and targets
Use spatial planning, via regional spatial strategies (RSSs) and zoning/other identification (eg, overlays) in natural and built environment plans (NBE plans), to prioritise different outcomes in different locations, according to their relevance and the extent of their benefits
To the extent practicable, provide direction on how foreseeable conflicts between environmental outcomes within the region are managed in RSSs and NBE plans, rather than leaving decision making to resource consents

Direction on key considerations for regional planning committees

To the extent practicable, promote outcomes for the benefit of the natural environment alongside measures that promote development (ie, achieving co-benefits)

Ensure any relevant national interests are considered

Where multiple outcomes have been identified as relevant, seek to achieve these outcomes through one or more of the following:

- managing the adverse environmental effects of activities
- setting requirements for environmental offsetting and redress
- using environmental contributions and other economic instruments
- setting other conditions or requirements that developments must meet
- funding and investing through RSS implementation plans and local government funding processes that recognises co-benefits.

In general, avoid use and development of resources if this will compromise significant natural and cultural values, or create significant risks to life or property, unless a development need is critical for the wellbeing of people and communities and:

- there is a functional or operational need for it to locate there
- an appropriate assessment of alternatives has been completed
- the benefits of development outweigh the costs
- adverse environmental effects have been managed to the extent practicable.

Questions for discussion

1. Do you have any feedback on the suggested approach to decision making and conflict resolution?
2. Do you have any feedback on the suggested direction on engagement?
3. Do you have any feedback on the suggested approach to monitoring?

National direction under the RMA (1991)

Under the Resource Management Act 1991 (RMA), there are several national direction instruments currently in effect. This is substantial direction reflecting many years of policy development under the RMA. The Government is in the process of developing some RMA national direction. All the RMA direction that is in effect in time to be redrafted into the first National Planning Framework (NPF) will be included in the first NPF. This direction will make up most of the content of the first NPF.

The Natural and Built Environment Bill (NBE Bill) requires that the first NPF is prepared on the basis of the national direction set by the RMA. It also requires both Minister for the Environment and the board of inquiry to take into account maintaining consistency with the policy intent of RMA national direction to the extent that it is compatible with the NBE Bill.¹

¹ Refer to [Schedule 6, clause 31\(e\) of the NBE Bill](#).

The policy intent of RMA national direction will therefore be carried across into the NPF. We will need to make sure it aligns with the new resource management system, but the NBE Bill provides a clear direction to retain the policy intent where possible. This is intended to support a smooth transition, by assuring councils that much of the work they do under the RMA over the coming few years does not go to waste and can be transitioned into the new system.

However, RMA national direction will require some redrafting to ensure it aligns with the new system. Table 4 highlights some of the general ways in which national direction needs to change to align with the new system.

In some cases, such as the National Policy Statement on Freshwater Management, existing national direction includes policy content that has been developed through extensive engagement with partners and stakeholders. This includes the development of the concept of te Mana o te Wai. The intention is to ensure this existing policy is carried over into the new system in a way that is true to its original intent.

Table 4: General changes suggested to align RMA national direction with the new RM system

Matter	Comment on approach in the National Planning Framework (NPF)
'Objectives' become 'outcomes'	'Objectives' in existing national direction will become 'outcomes,' and for some existing national direction (eg, national environmental standards) an NPF outcome statement may be included to clarify the general intent of the national direction.
Effects management framework	The effects management framework and general duty in the NBE Bill (avoid, minimise, remedy, offset, provide redress) is different to under the RMA (avoid, remedy mitigate). Each use of 'avoid, remedy, mitigate' in existing national direction will need careful consideration to test whether it should be updated to reflect the new effects management framework to ensure the NPF and the NBE Bill are aligned.
Roles and responsibilities	Where national direction assigns a role to a particular party, such as regional councils, these provisions may need to be reconsidered for the new system. It will be appropriate for some functions to remain with regional councils and territorial authorities. These are more likely to be, for example, consenting activities, while others may be appropriate to shift to regional planning committees (RPCs). Where a matter must be given effect to or considered through the regional spatial strategy (RSS) or Natural and Built Environment Bill (NBE Bill) planning processes, those responsibilities should shift to RPCs.
Give effect to the principles of te Tiriti	The NBE Bill has the legal weight of "give effect to" the principles of te Tiriti o Waitangi, compared to section 8 of the RMA, which requires all persons exercising functions and powers under it to "take into account" the principles of te Tiriti. Consideration needs to be given to whether any amendments are required through the redrafting process.

Matter	Comment on approach in the National Planning Framework (NPF)
Activity statuses in the new consenting regime	<p>There will no longer be ‘restricted discretionary’ or ‘non-complying’ activity statuses in the new system, which are referred to in several national direction instruments. And the definitions of remaining activity statuses have shifted.</p> <p>Typically, we suggest ‘restricted discretionary’ activities should become controlled activities in the new system. ‘Matters of discretion,’ would become ‘matters of control.’</p> <p>In general, we suggest non-complying activities should become discretionary activities unless it is an activity that does not meet any of the outcomes (or degrades them) or breaches a limit, in which case it would likely become a prohibited activity.</p>
Resource Management Act 1991 (RMA) planning documents	<p>Where national direction refers to plans or planning requirements (including district plans, regional policy statements and future development strategies) these references will need to be reconsidered for the new system.</p> <p>These references will be removed, and we suggest that often they should be replaced with reference to RSSs or natural and built environment plans as appropriate.</p>

Table 5 indicates some specific changes that are being considered for national direction instruments. These are the changes we have identified that are necessary to bring the instruments into the new system and are not intended to be large shifts in policy intent.

Table 5: Changes to existing national direction instruments

Instrument	Suggested change
New Zealand Coastal Policy Statement (NZCPS)	<p>Ensuring the NZCPS policies on biodiversity, heritage and public access align with the Natural and Built Environment Bill (NBE Bill) requirements for places of national importance, significant biodiversity areas, specified cultural heritage and public access</p> <p>Aligning Policy 28 monitoring and review requirements with the broader National Planning Framework (NPF) monitoring and review requirements</p> <p>Restructuring provisions to have clear implementation requirements and clarifying who is responsible for implementing certain provisions.</p>
National Policy Statement for Freshwater Management (NPS-FM)	<p>Incorporating new limits and targets language into the NPF, but retaining general approach as set out in the NPS-FM</p> <p>Note: Te Mana o te Wai and the tangata whenua involvement provisions will be retained in full.</p>
National Policy Statement on Urban Development (NPS-UD)	<p>Redrafting future development strategy provisions as direction to regional planning committees (RPCs) for the development of regional spatial strategies (RSSs) in relation to tier 1 and 2 urban environments (rather than being standalone documents)</p> <p>Redrafting Housing and Business Development Capacity Assessment (HBA) requirements to provide direction to RPCs for RSSs and natural and built environment plans (NBE plans)</p>

Instrument	Suggested change
Medium density residential standards (MDRS)	Intensification planning instruments and the intensification streamlined planning process have not been transferred to the NBE Bill. Therefore, in the new system, the Minister for the Environment would require the MDRS to apply to a new location through an amendment to the NPF (rather than through the Order-in-Council process).
National Policy Statement for Highly Productive Land	Changes to clarify that the relationship with the NPS-UD is retained – land identified for future urban development (in an RSS), cannot be identified afterwards as highly productive land (HPL) Note: HPL exemptions for specified Māori land are retained.
National Environmental Standard for Air Quality	Existing ambient air quality and consenting provisions will not be carried over into the first NPF, as they are known to be out of date. These will be updated and transferred into the NPF at a later date, in time to inform NBE plans. Some amendments to the wood burner and mercury amendments will be included (as consulted on in 2020). New outcome articulating the existing policy intent
Marine pollution regulations	Including an outcome statement to clarify policy intent: broadly, that pollution in the coastal marine area from operational or accidental discharges from ships and offshore installations is avoided or minimised

National planning standards

The national planning standards (planning standards) will be carried over into the new system as appropriate. A new structure will be developed for natural and built environment plan (NBE plan) templates, although the general approach to existing plan templates will remain similar. The zone framework would remain the same, except for some new content on coastal zones. Other parts of the NBE plan standards are likely to remain similar to the status quo.

The key new direction is the RSS template. This will provide a consistent structure to RSSs but allow regional flexibility where appropriate. Any format, accessibility and definitions standards are expected to be similar to those required for RMA plans.

Questions for discussion

4. Do you have any feedback on the proposed changes to Resource Management Act 1991 national direction to ensure it is fit for purpose in the new system?
5. Do you think any other changes are needed to Resource Management Act 1991 national direction when it is redrafted into the National Planning Framework to ensure it aligns with the Natural and Built Environment Bill? This includes giving effect to the principles of te Tiriti o Waitangi.*

* The Natural and Built Environment Bill requires the first National Planning Framework to be prepared on the basis of Resource Management Act 1991 national direction.

Climate change mitigation

Clauses 5(b)(i) and 5(b)(ii) of the Natural and Built Environment Bill (NBE Bill) include system outcomes for achieving “the reduction of greenhouse gas emissions” and “the removal of greenhouse gases from the atmosphere”. Officials are considering these outcomes jointly under the term ‘climate change mitigation’.

While Resource Management Act 1991 (RMA) national direction is being developed to address a specific aspect of climate change mitigation (industrial process heat), and this will be incorporated into the National Planning Framework (NPF), officials consider that additional content on mitigation as a whole is needed in the first NPF.

This direction would help ensure that regional planning committees approach the overall issue in a consistent way that also looks to improve system performance for other outcomes and assists in managing tensions between climate change reduction and development opportunities.

We consider that the focus for the first NPF should be on setting the foundation at the regional spatial strategy (RSS) level for climate change mitigation in the new system. Over time, the key driver of climate mitigation in the new system will be natural and built environment plans, with strategic support from RSSs. These strategies will provide a blueprint for regions to guide how outcomes such as mitigation will be achieved alongside other strategic priorities for the region.

Table 6: NPF direction that supports regional planning committees

What we are trying to achieve	What we are considering
Direction in the first National Planning Framework (NPF) that will support regional planning committees (RPCs) in identifying climate change mitigation opportunities within their region.	<p>Framework outcomes for reducing greenhouse gas emissions.</p> <p>Direction that encourages RPCs to consider mitigation opportunities alongside other considerations and provides direction on how to do this. This direction would support emissions content already included in existing direction, such as the National Policy Statement for Freshwater Management, the New Zealand Coastal Policy Statement and the National Policy Statement for Urban Development.</p> <p>Direction on how RPCs should consider existing information (such as regional emissions profiles) when developing RSSs.</p>

Question for discussion

6. Do you have any feedback on the suggested climate change mitigation content for the first National Planning Framework?

Natural hazards risk management and climate adaptation

Clause 5(b)(iii) of the Natural and Built Environment Bill (NBE Bill) includes a system outcome for “achieving the reduction of risks arising from, and better resilience of the environment to, natural hazards and the effects of climate change”.

There is increasing urgency to address the effects of natural hazards and the effects of climate change through risk reduction and building resilience. There is limited existing national direction under the Resource Management Act (RMA) aimed at doing so.

Although the RMA does cover natural hazards and (more recently) climate change, it has been insufficient in addressing the risks and providing for adaptation. This is due to the lack of integration across the system, and the absence of strong national direction to provide mandate and guidance for local authorities to implement their statutory mandate. This means that the risk to life, property, the natural environment, and the things we value, is continuing to increase. Climate change is also increasing the frequency and intensity of many of the natural hazards that we experience in Aotearoa.

Direction in the first National Planning Framework (NPF) will ensure a consistent approach to risk reduction and adaptation to natural hazards and the effects of climate change is taken through RSS development. This is intended to lay the foundation for future more detailed direction to be included in the NPF in future to inform NBE plan development.

See more information about the broader Ministry work programme on [climate adaptation](#).

Table 7: Risk assessment framework

What we are trying to achieve	What we are considering
<p>Ensuring a consistent approach to risk reduction and adaptation to natural hazards and the effects of climate change and providing confidence in the information used by regions.</p>	<p>Framework outcomes for risk reduction and resilience to natural hazards and the effects of climate change.</p> <p>Direction that sets a foundation for a future risk assessment framework, focusing on regional spatial strategies (RSS) direction for the first National Planning Framework (NPF). This could include:</p> <ul style="list-style-type: none"> • Requiring regional planning committees (RPCs) to identify natural hazards facing their region and consider the risk posed by natural hazards. This recognises that the first regional spatial strategies (RSS) will most likely rely on existing Resource Management Act (RMA) information but could require modelling or identification of specific types of hazards. • Requiring RPCs to consider what further work is needed to prepare for the preparation of natural and built environment (NBE) plans on reducing risks from natural hazards. This could include: <ul style="list-style-type: none"> – determining areas that are at-risk and where further work may be required to determine if development is appropriate – consider if existing infrastructure is sufficient to manage risks posed by natural hazards, and consider next steps if it isn't sufficient – seek information from infrastructure providers on the risks to infrastructure and measures to reduce those risks. • Direction that encourages RPCs to consider risk reduction opportunities and adaptation approaches alongside other considerations and provide direction on how to do this. • Enabling existing and innovative risk reduction and adaptation approaches that have multiple benefits like nature-based solutions, identification of areas that act as buffers.

Question for discussion

7. Do you have any feedback on the suggested natural hazards content for the first NPF?

Environmental limits and targets in the first NPF

The purpose of setting environmental limits is to protect the ecological integrity of the natural environment from degrading from the state it is when the relevant part of the Natural and Built Environment Bill (NBE Bill) comes into force, and to protect human health (see [clause 37](#) and [40\(3\)](#) of the NBE Bill). The purpose of setting environmental targets is to help improve the state of the natural and built environment (see [clause 47](#) of the NBE Bill).

The NBE Bill enables environmental limits to be set in the National Planning Framework (NPF), or the NPF may prescribe the process and requirements for limits to be set locally in natural environment plans (NBE plans).

The first NPF will:

- set out measurable biophysical characteristics of the natural environment associated with ecological integrity and human health (attributes) relating to each of the six mandatory matters (air, coastal waters, estuaries, freshwater, indigenous biodiversity and soil) that need to be managed as limits and have associated targets set for
- provide direction on the setting of ‘management units’ within which limits and targets will be managed
- direct the process to set limits in NBE plans and signal how targets are expected to be set (including via engagement)
- outline what form requests for exemptions from limits will take.

Attributes

Limits and associated targets will be based on ‘attributes’. Examples of attributes are the concentration of nitrogen and phosphorus in water. Attributes prescribed in the NPF will be informed by empirical evidence, including scientific knowledge and mātauranga Māori.

The first NPF will bring in existing attributes from the National Policy Statement for Freshwater Management (NPS-FM) and add a small set of new attributes to start to fill key gaps. Existing minimum level targets (‘bottom lines’) will also be carried over from the NPS-FM.

The attributes suggested for the first NPF are set out below. These have been selected on the basis of urgency/importance, suitability and feasibility. These are not the full suite of attributes we expect to have in the NPF over time. Future work will develop further limits and targets ready for implementation through NBE plans. This will be done collaboratively.

Table 8: Attributes of mandatory matters for environmental limits

Mandatory matter/domain	Attribute
Air	PM 2.5 (fine particulate matter)
Indigenous biodiversity	Indigenous vegetation cover
Coastal waters	Saltmarsh extent
Estuaries	Seagrass extent
Freshwater	Sediment content and build-up Nuisance macro-algae Existing attributes from the National Policy Statement for Freshwater Management
Soil	Erodible soil stabilisation

Management units

Limits and targets will apply within 'management units'. Management units are geographical areas for which limits and targets will be set and reported on. They will be an important tool in enabling development above limits. Management units must be sufficient to enable the purpose of limits and targets to be met and be determined by reference to scientific knowledge and mātauranga Māori.

The NBE Bill proposes overarching direction for management units. We are considering how much more direction is required in the NPF. A key consideration is whether regional variation could create inconsistencies in applying offsetting requirements, assessing exemptions to limits, and establishing a national picture of the application and implementation of the limits and targets framework.

Some design considerations we would like feedback on are listed below.

Questions for discussion

8. What sort of scale would ensure no net loss of ecological integrity and allow development within the management unit?
9. How can adding complexity to planning decisions be avoided?
10. How can the intrinsic relationship between iwi and hapū and te taiao be expressed?
11. How can the interconnectedness of all parts of te taiao be provided for?

Exemptions

The NBE Bill allows for exemptions from environmental limits in exceptional circumstances.

Requests for exemptions from limits need to be in a form approved by the Minister for the Environment. We consider that this form should be set out in the NPF, so the exemptions framework is transparent, efficient and clear. This will also help to ensure that requests for an exemption are only submitted where appropriate, and that they include the required information and can be assessed efficiently.

Targets

Targets are intended to reflect a higher level of aspiration than environmental limits. The new system would acknowledge local differences, with communities being able to set targets above a nationally prescribed target to reflect their own aspirations and the things they care about. Communities must also be able to measure progress.

There is an opportunity to provide direction to enable communities to be actively involved. We would like feedback on what this could look like. For example, what level of detail should be provided in the NPF to guide target setting?

Questions for discussion

12. How can we simplify implementation of management units to meet the purpose of limits and targets and to provide flexibility for appropriate offsetting?
13. How do we enable mātauranga Māori at place, including monitoring from a mātauranga Māori perspective, to measure how te taiao is improving?
14. How would your iwi/hapū like to be involved in developing limits and targets content for the NPF and how might we support you to do this?

Infrastructure

Clause 5(i) of the Natural and Built Environment Bill (NBE Bill) includes a system outcome for “the ongoing and timely provision of infrastructure services to support the well-being of people and communities”. The NBE Bill also requires the National Planning Framework (NPF) to provide direction on “enabling infrastructure and development corridors” (see [clause 58](#)).

While some existing national direction instruments cover specific types of infrastructure (eg, the National Policy Statement for Renewable Electricity Generation, National Environmental Standards for Telecommunication Facilities), there is no existing national direction that covers infrastructure provision generally.

New direction on infrastructure in the first NPF is intended to be a first step towards ensuring that the new resource management system better enables the provision of infrastructure to:

- address the infrastructure deficit
- support future population growth and change
- contribute to reducing climate emissions
- improve natural environmental impacts
- improve efficiency in the speed and cost of infrastructure provision.

In Aotearoa New Zealand, most infrastructure is delivered by a few providers, who operate throughout the country and carry out many common infrastructure activities. Currently, there is little national consistency in how councils manage the effects of infrastructure, except for a limited number of activities referenced by existing national environmental standards. Increased standardisation of common infrastructure activities would have several benefits, including:

- minimising the need to consent and reducing the significant cost of consenting infrastructure projects
- where consenting is required, reducing the number of matters requiring complex bespoke assessment and/or the reliance on external experts to provide it

- reducing litigation risk on the method or approach that should be followed
- providing more certainty that good outcomes for both infrastructure and the environment will be achieved through consistent consent conditions
- speeding up processes.

This direction needs to ensure Māori interests are recognised and accommodated and the intent and integrity of Tiriti o Waitangi settlements are upheld, including in how conflicts between infrastructure and cultural values will be managed.

As shown in table 9, we are considering a package of infrastructure direction in the first NPF to help the resource management system to plan and enable the right infrastructure in the right place at the right time. The package includes:

- framework outcomes and supporting direction on infrastructure provision to direct resource management decision makers, with an initial focus on regional planning committees in developing regional spatial strategies (RSSs)
- policies directing consistent use of a prioritised set of infrastructure standards and rules for an initial shortlist of common infrastructure activities and effects.

Table 9: Framework outcomes and supporting policies for infrastructure

What we are trying to achieve	What we are considering
Ensuring that regional planning committees (RPCs) achieve the coordination of planning and funding needed for infrastructure to contribute to multiple outcomes and meet future needs.	<p>Framework outcome on integrating long-term land use and infrastructure planning and funding.</p> <p>Direction to guide process for engaging with infrastructure providers, infrastructure planning to support national direction on urban development, and the identification of corridors and sites for future infrastructure (required by the Natural and Built Environment Bill).</p>
Ensuring that existing or new infrastructure necessary for human life, and for Aotearoa to function, is provided for.	<p>Framework outcome on providing for 'lifeline' infrastructure.</p> <p>Direction including a clear definition of lifeline infrastructure and direction on how regional spatial strategies (RSSs) should provide for it.</p> <p>Generally, this direction is intended to simplify the pathway for certain types of infrastructure. If planned for at the regional and strategic level, this may mean there are fewer requirements through the consenting process.</p>
Recognising that infrastructure needs to be developed to support wellbeing and, in many cases (such as wastewater treatment upgrades), to improve te taiao.	<p>Framework outcome on enabling the development of beneficial infrastructure while upholding te Oranga o te Taiao.</p> <p>Direction that encourages decision makers to look for 'win-wins' when considering infrastructure development and helps them navigate potential areas of conflict between outcomes. This could include direction on:</p> <ul style="list-style-type: none"> • valuing green infrastructure • benefits that infrastructure projects may provide • how RPCs should assess the functional or operational needs for infrastructure to be in particular locations.

What we are trying to achieve	What we are considering
Ensuring better use is made of existing infrastructure, to help minimise the need to invest scarce financial and natural resources in new infrastructure.	<p>Framework outcome on enabling optimum use of existing infrastructure.</p> <p>Direction focused on how existing infrastructure should be treated as things change over time, so that it can provide necessary services while ensuring other outcomes can be achieved.</p>
Supporting the emissions reduction plan and national adaptation plan recommendations for infrastructure.	<p>Framework outcome on enabling infrastructure to support climate change and natural hazards goals.</p> <p>Direction focused on enabling renewable electricity development and upgrades that reduce emissions from existing infrastructure, as well as adaptation or movement of infrastructure at risk from the changing climate and natural hazards.</p>
Increasing certainty and efficiency for infrastructure projects in the new system	<p>Policies directing consistent use of the following prioritised set of infrastructure standards and rules for common infrastructure activities and effects:</p> <ul style="list-style-type: none"> • noise and vibration • tree works/vegetation management (above ground) • earthworks – erosion and sediment control, dust, works in waterways • coastal hazards • archaeology – unexpected discovery • outdoor lighting, and lighting for roads and public spaces • the 2019 draft network utility rules, amended for the new resource management system • updated National Environmental Standards for Telecommunication Facilities and Electricity Transmission.

Questions for discussion

15. Do you have any feedback on the proposed infrastructure direction?
16. How can infrastructure be enabled in a way that still allows other outcomes to be achieved?

Outstanding natural features and landscapes

Clause 5(a)(ii) of the [Natural and Built Environment Bill](#) (NBE Bill) includes a system outcome for the protection or, if degraded, restoration, of “outstanding natural features and outstanding natural landscapes”.

Existing national direction addresses outstanding natural features and landscapes (ONFLs) only indirectly, to the extent that ONFLs relate to the primary topic of an existing instrument. We consider that additional content is required to ensure that ONFLs are considered as part of the process to develop regional spatial strategies (RSSs).

As shown in [table 10](#), we are considering including framework outcomes and supporting provisions in the first National Planning Framework (NPF), aimed at ensuring (at a level appropriate to RSSs) that:

- ONFLs and their values and characteristics are recognised and described
- the values and characteristics of ONFLs are protected in a way that, as far as possible, also allows other system outcomes to be achieved.

For the first NPF and development of the first RSSs, we are not considering requiring regional planning committees to generate large amounts of new evidence or reassess existing classifications. Instead, a key focus will be enabling committees to make the best use of existing work and evidence, while still allowing the flexibility, should the need arise, to:

- reassess specific existing classifications
- consider candidate sites for new ONFLs in RSSs, where they have not been well identified to date
- identify areas where mapping of ONFLs should be a priority for natural and built environment plans.

In those situations, the first NPF is likely to point committees towards current best practice, with more prescriptive processes and requirements to possibly follow in later versions.

We do consider that a clear understanding and description of what it is that makes a particular feature or landscape ‘outstanding’ is particularly important. Experience under the Resource Management Act 1991 (RMA) has shown that landscape protection is a complex, costly, emotive and litigious issue that often interacts with other outcomes in the NBE Bill. Understanding the special or outstanding values and characteristics of a given feature or landscape will be key to making informed decisions on how best to protect them in a way that also allows for other outcomes to be achieved.

Table 10: Framework for outstanding natural features and landscapes

What we are trying to achieve	What we are considering
<p>Ensuring that regional planning committees (RPCs) have a clear understanding of the location and extent of outstanding natural features and landscapes (ONFLs) within a region, and the values and characteristics that make them 'outstanding' .</p>	<p>A framework outcome for ONFLs to be recognised and described.</p> <p>Direction to help RPCs approach identifying ONFLs in a consistent way. This could be drawn from, or based on, parts of Policy 15 of the New Zealand Coastal Policy Statement. There are also examples of guidance from relevant sector bodies to draw upon.</p> <p>Direction to RPCs on how to integrate existing evidence and work on ONFLs into the development of regional spatial strategies.</p>
<p>Ensuring that the aspects that make a feature or landscape 'outstanding' are protected, while at the same time ensuring that other system outcomes can also be achieved.</p>	<p>A framework outcome for values and characteristics of ONFLs to be protected.</p> <p>Direction on how to protect values and characteristics of ONFLs, while also enabling other system outcomes to be achieved. Options include:</p> <ul style="list-style-type: none"> • requirements to consider alternatives where strategic development may impact ONFLs • recognising that functional and operational needs of certain infrastructure may require it to be located within ONFLs • applying the effects-management framework (where appropriate).

Questions for discussion

17. Do you have any feedback on the suggested content on outstanding natural features and landscapes?
18. How should regional planning committees take into account outstanding natural features and landscapes already mapped when making decisions on regional spatial strategies?
19. How can outstanding natural features and landscapes be protected in a way that also allows for other outcomes to be achieved?

Cultural heritage

Clause 5 (g) of the Natural and Built Environment Bill (NBE Bill) includes a system outcome for “the conservation of cultural heritage”².

Existing national direction addresses cultural heritage only indirectly, to the extent that it relates to the primary topic of an existing instrument. We consider that additional

² 'Cultural heritage' is defined in [clause 7 of the NBE Bill](#).

content is required to ensure that cultural heritage is considered as part of the process to develop regional spatial strategies (RSSs).

As shown in table 11, we are considering including framework outcomes and supporting provisions in the first National Planning Framework (NPF), aimed at ensuring (at a level appropriate to RSSs) that:

- cultural-heritage places and their values are identified and documented
- the values of cultural-heritage places are conserved and managed in a way that, as far as possible, also allows other system outcomes to be achieved.

Like for outstanding natural features and landscapes, for the first NPF and development of the first RSSs, officials are not considering requiring regional planning committees (RPCs) to generate large amounts of new evidence or reassess existing cultural-heritage classifications.

Instead, a key focus will be enabling RPCs to make the best use of existing work and evidence, while still allowing the flexibility should the need arise to identify areas where further investigation of potential cultural-heritage values should be a priority for natural and built environment plans. In those situations, the first NPF is likely to guide RPCs, with more prescriptive processes and requirements to follow in future amendments to the NPF.

We consider it important that RPCs have a clear understanding and description of what it is that makes a particular cultural-heritage place worth conserving. Understanding the values and characteristics of a given cultural-heritage place will be key to making informed decisions on how best to conserve them in a way that also allows for other outcomes to be achieved.

Table 11: Framework for cultural heritage

What we are trying to achieve	What we are considering
Ensuring that regional planning committees (RPCs) have a clear understanding of cultural-heritage places within a region, and the values that make them worth conserving	<p>Framework outcome for cultural-heritage places to be identified and described.</p> <p>Supporting direction to help RPCs consider cultural heritage in a consistent way at a scale appropriate for regional spatial strategies (RSSs).</p> <p>Supporting direction to RPCs on how to integrate existing evidence and work cultural heritage into the development of RSSs.</p>

What we are trying to achieve	What we are considering
<p>Ensuring that the values that give meaning value to cultural heritage places are conserved, while at the same time ensuring that other system outcomes can also be achieved.</p>	<p>Framework outcome for cultural-heritage values to be conserved.</p> <p>Supporting direction on how to conserve values of cultural heritage, while also enabling other system outcomes to be achieved. Options include:</p> <ul style="list-style-type: none"> • requirements to consider alternatives, where strategic development may impact cultural heritage • recognising that functional and operational needs of certain infrastructure may require it to be located within cultural landscapes or other cultural-heritage places • applying the effects-management framework (where appropriate) • supporting direction on active use and ongoing management of cultural-heritage places.

Questions for discussion

20. How should regional planning committees take into account cultural heritage that is already identified and other places which warrant further investigation when making decisions on regional spatial strategies?
21. How can cultural-heritage places best be conserved in a way that also allows for other outcomes to be achieved?

Urban trees

While the Natural and Built Environment Bill (NBE Bill) does not include a requirement for the National Planning Framework (NPF) to address urban trees, the Government has identified direction for urban trees as a priority for inclusion in the first NPF.

Under the Resource Management Act 1991 (RMA), there are several problems with how urban trees are addressed, including:

- scheduling is inefficient and ineffective
- canopy coverage is variable across urban areas. In many areas, the percentage of the canopy coverage from larger trees is reducing.
- intensification leads to increased pressure to remove large trees on private property.

We are considering content in the first NPF, aimed at clarifying the importance of trees in our urban environments and providing guidance to regional planning committees on how to take them into account when preparing the first regional spatial strategies (RSSs). This content is intended to be focused on the strategic direction needed for RSSs, and to lay the foundation for more detailed direction that informs the

development of natural and built environment plans, to be provided in subsequent versions of the NPF.

Alongside this, the Government is also actively considering developing RMA national direction on urban trees, to ensure that urban trees are adequately protected during the transition period before the NPF comes into effect.

Table 12: Direction on urban trees

What we are trying to achieve	What we are considering
Greater clarity on the importance of trees in urban environments.	Direction which sets out the rationale for trees in our urban spaces, including ensuring equitable access to urban tree-canopy coverage.
Urban tree-canopy coverage is monitored and areas for improvement are identified.	Guidance to regional spatial strategies relating to monitoring data of urban tree-canopy coverage, identifying areas where a coordinated response for urban tree management is required and encouraging urban forest strategies.

Question for discussion

22. Do you have any feedback on the suggested urban trees content for the first National Planning Framework?

Significant biodiversity areas criteria

The Natural and Built Environment Bill (NBE Bill) requires natural and built environment plans to identify significant biodiversity areas (SBAs) within their regions. These SBAs are then considered to be ‘places of national importance’, which are covered by NBE Bill provisions that set out how adverse effects on these places are managed.

The NBE Bill requires the criteria for identifying SBAs to be included in the National Planning Framework (NPF). Table 13 sets out the approach to setting SBA criteria that officials are considering.

Table 13: Significant natural areas criteria

What we are trying to achieve	What we are considering
The significant biodiversity areas (SBAs) criteria in the National Planning Framework (NPF) should allow regional planning committees (RPCs) to identify SBAs in their natural and built environment plans. The criteria should apply to the terrestrial, marine and freshwater domains. The identified SBAs will then be managed in accordance with	The suggested criteria are largely based on the significant natural areas (SNA) criteria proposed under the proposed National Policy Statement for Indigenous Biodiversity (NPS-IB). The same four categories apply: <ul style="list-style-type: none"> • representativeness • diversity and pattern • rarity and distinctiveness

other provisions in the Natural and Built Environment Bill and the NPF.

- ecological context.

Small changes to the criteria are being considered, to extend their applicability to the freshwater and marine domains (the NPS-IB and its SNA criteria only apply to the terrestrial domain).

Question for discussion

23. Do you have any feedback on the suggested significant biodiversity areas criteria for the first National Planning Framework?

Regional implementation

To ensure a successful transition to and implementation of the new system, we need to ensure our partners and stakeholders can transition to and successfully participate in the new system. The new system will require shifts in how we work across local government, hapū/iwi and Māori, central government and stakeholders.

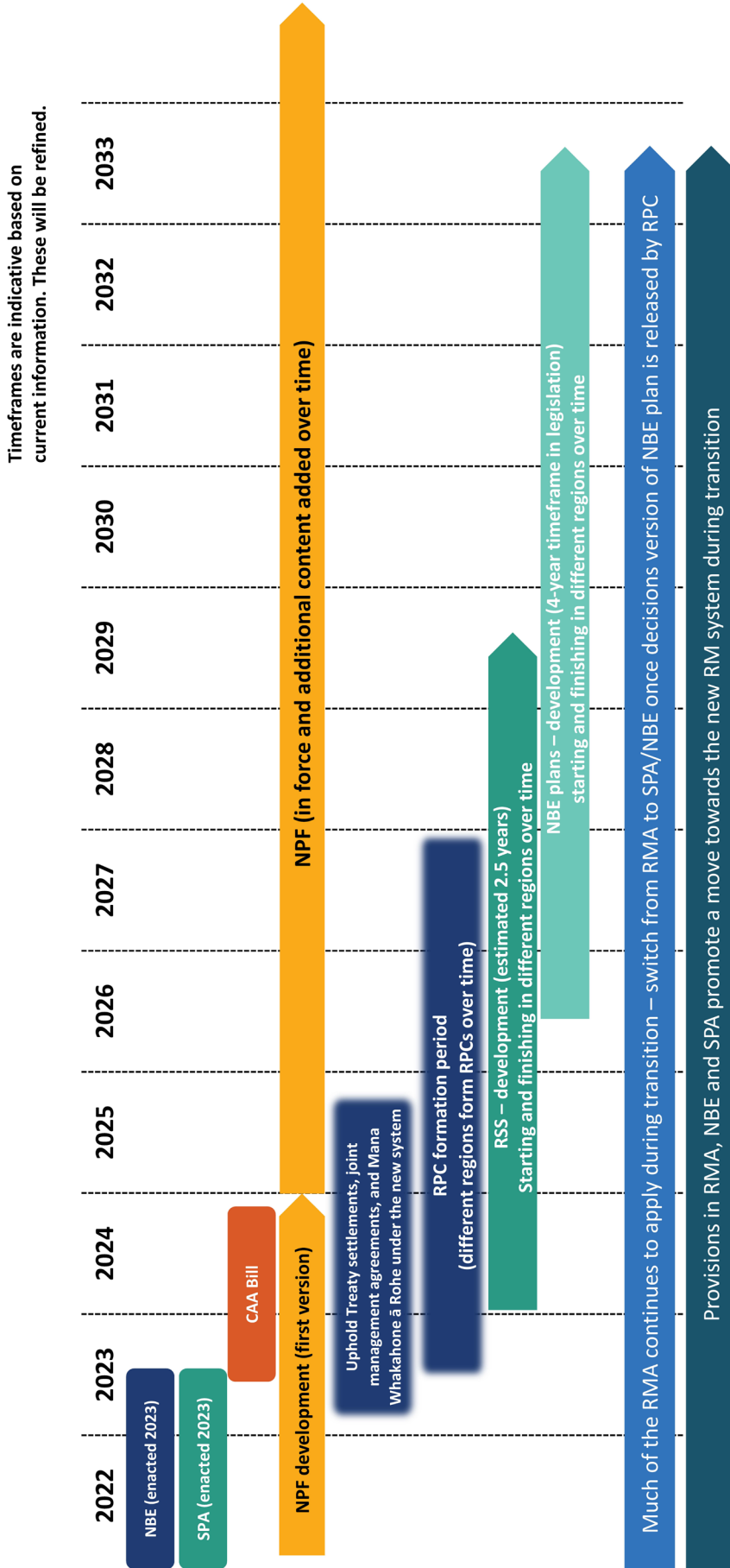
Transition to the new system

Transition to the new system is anticipated to take around 10 years. This timetable was indicated in the Randerson report³, and is driven by the need to ensure that the hierarchy of direction and guidance from the National Planning Framework (NPF) to regional spatial strategies (RSSs) and natural and built environment plans (NBE plans) is achieved.

A staged approach is anticipated, whereby some regions will begin the RSS development process, followed by another group of regions. The Natural and Built Environment Bill currently has a final date for RSS notification of seven years after enactment. The NBE plans are required to be developed within four years after notification of the RSSs.

³ Resource Management Review Panel. 2020. *New Directions for Resource Management in New Zealand: Report of the Resource Management Panel Review: Summary and key recommendations.*

Figure 2: RM system transition and implementation timeline



Implementing the new system

Ministers agreed funding in Budget 2022 to enable the successful delivery of the resource management system reforms, including funding to support the first group of regions (the “first tranche regions”) to develop RSSs and NBE plans. This Ministry for the Environment (the Ministry) is also exploring ways to manage capacity across the resource management system during the transition.

The Ministry will work alongside this first group of regions, providing guidance, funding and support to enable the establishment of regional planning committees (RPCs) and the development of their strategies and plans in the new system.

Along with local government, the Ministry will work in partnership with iwi, hapū, whānau, Māori interests, post-settlement governance entities to demonstrate how the new system works and is delivered. This will allow us to *collectively* gather learnings for the regions that follow and consider how best to support and improve implementation over the coming years.

Iwi, hapū and groups that represent Māori are key partners in delivering resource management in the new system. It is important that we connect with iwi, hapū, whānau and Māori interests to understand how we can best support conversations around resource management reform in your rohe, how this could look and how you would like us to work with you going forward.

First tranche regions

There is an opportunity for several regions with different characteristics to implement the new system ahead of other regions. RPCs will be established in the “first tranche regions” and will develop the first RSSs and NBE plans with central government support. This will enable iwi/hapū/Māori and local government in these regions to test the new system across a range of resource management issues, providing insights and learnings for regions that follow.

We will work with some regions on a scoping exercise in April to June 2023, to better understand what is required to get work in the new system underway and the support needed from central government. Taking part in the scoping exercise does not commit a region to being in the first implementation tranche. However, agreement with iwi/hapū/Māori is an essential part of progressing the first tranche regions. The next phase after scoping would be formal confirmation of up to three regions as first-tranche regions – possibly by the end of October 2023.

A stronger role for iwi/hapū in the new system

The proposed legislation ensures a stronger role for iwi, hapū, whānau and Māori groups who will be important delivery partners in the new resource management system. This will require shifts in how we work across local government, hapū, iwi and Māori, central government and stakeholders. We need to ensure our partners can transition to, and participate fully in, the new system. We also recognise that there is a lot of environmental reform underway and are trying to improve how we engage at the local and regional levels. To support this, we are employing new kaiwhakatere (regional navigators) to improve connections between the Ministry and our regional partners, focusing on Māori and local government. This is about having relationships in place that will enable a tailored approach to each region's needs. New skills and knowledge will be needed for people and groups to participate and represent their interests effectively in the new system.

We recognise that iwi, hapū and Māori may face capacity challenges as they take on a stronger role in the new system. The Ministerial Oversight Group for the reforms noted that investment in iwi/Māori capacity was needed to underpin the system, and Ministers agreed funding for this in Budget 2022.

The Ministry has initiated work on potential guidance, training and capacity supports for the new system. This will help local government, iwi, hapū, whānau and Māori interests, and resource management practitioners to build and sustain capacity to transition to and participate in the new system. We will work with these groups to develop this work when the new system begins to roll out. We will build on the experience we have gained from capacity-building for the freshwater reforms.

Questions for discussion

Iwi and hapū have a strong role to play in the new resource management system.

24. How would you like us to work with you going forward?

25. How can we best support you as you consider implementation of the new system in your rohe?

26. How can we enable and support conversations about the new resource management system in your rohe?

Climate adaptation and mitigation

Climate Adaptation Bill

The **Climate Adaptation Bill** supports Aotearoa New Zealand's response to the effects of climate change and is expected to be introduced to parliament in in 2023.

Severe weather events such as Cyclones Gabrielle and Hale, and flash flooding events in Auckland, have caused significant and widespread damage across parts of Aotearoa. These weather events have devastated communities. There has been loss of life, property and critical infrastructure. This has brought home that climate mitigation and adaptation must be a priority.

It is also essential that what we do now does not impact communities' abilities to make longer term decisions or lock us into future pathways which could increase risk later or result in increased emissions.

We already have a range of work underway across climate and resource management programmes to address key gaps in managing hazards and building resilience to their impacts.

We are actively looking at what more we can do, and what we can do faster, to support communities to adapt to the risk of climate change, including as part of the development of the Climate Adaptation Bill. The content and timing of this legislation and related policy, potential for swifter implementation, and how it relates to the NBE Act and the SPA are being considered by ministers.

We can act now to ensure that future loss and damage from severe weather events is minimised.

Areas of focus include:

- **Ensure local government and communities have better information on identifying the natural hazards they face.** This will support them in thinking about how to adapt and manage risk in longer-term. Identifying and assessing areas that may be at risk from natural hazards is a critical first step in ensuring the adaptation system, including managed retreat, is effective.
- **Preventing new development in high-risk areas.** While councils are able to restrict development in areas subject to high natural hazard and climate change risk, practice on the ground is variable.

A number of councils, such as Christchurch and Kāpiti Coast, have faced strong opposition from local communities and landowners, including legal challenges, when trying to address these issues. The impact of cyclones Hale and Gabrielle on recently developed areas has highlighted this issue and questions have been raised

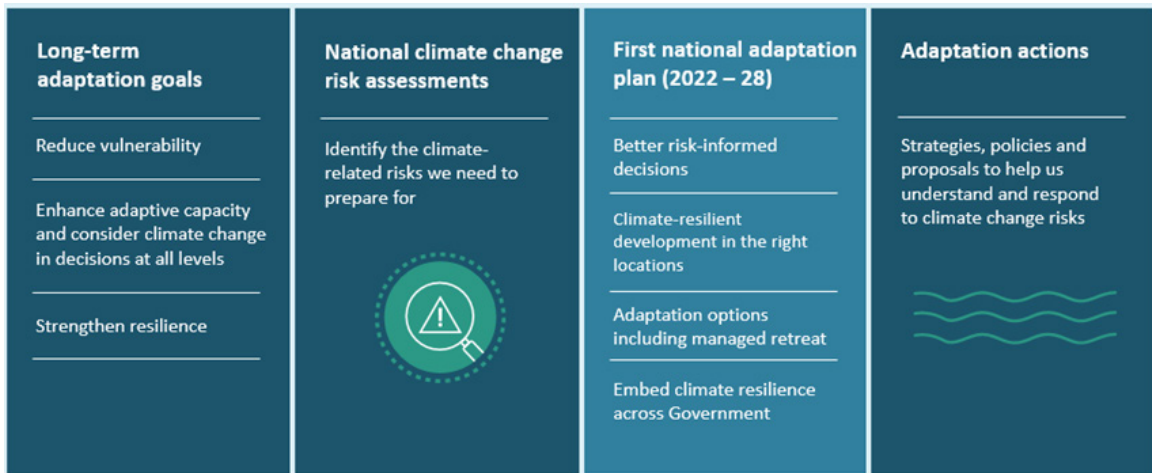
such as why development was allowed in risky areas and if improved stormwater infrastructure could have lessened the impacts.

- **Support prioritisation of strategic adaptation planning and enable managed retreat.** A key gap in the managed retreat system is around ensuring that local government prioritises planning for identified natural hazard risks. This takes account of future climate projections. This planning needs to have a clear role for iwi/Māori and use of mātauranga Māori in risk assessment and management. This includes funding and financing considerations around how any steps in these areas may be implemented.

Other work underway

Our plan to address climate change related issues also includes other work as follows:

- a **Managed Retreat Expert Working Group**, established last year, is set up to consider technical matters relating to the managed retreat system which is currently under development. Their final report is expected to be delivered later in 2023.
- developing the **Climate Adaptation Bill**. We will be engaging with iwi, Māori and hapū, along with local government and others to inform policy development for the Climate Adaptation Bill.
- continuing to implement the **national adaptation plan**. The [national adaptation plan](#) looks at how Aotearoa New Zealand can adapt to the impacts of climate change.



Natural hazards and climate change

Resource management reforms will also work to reduce risks from natural hazards and climate change.

The NBE Bill sets out a list of outcomes that the NPF, regional spatial strategies (RSSs) and Natural and Built Environment plans (NBE plans) must provide for. One of these outcomes is the “*reduction of risks arising from, and better resilience of the environment to, natural hazards and the effects of climate change*”.

This means that the NPF must provide direction on how decision makers and communities will reduce the risks from natural hazards and the effects of climate change through RSSs, NBE plans and decision on consents. We are proposing that over time the NPF provide a nationally consistent process for risk management, allowing communities to ensure they have the right information and analysis when approaching decisions on how to reduce risks from natural hazards.

See more information on [national direction](#).

RSSs and NBE plans will provide more information on how the risks of natural hazards will be reduced at a regional and local level. As RSSs do not have regulatory weights (meaning they don't create rules in their own rights), the NBE plans will do the 'heavy lifting' in placing restrictions or requirements on development in high-risk areas.

We are proposing that the first NPF will require regional planning committees to:

- identify natural hazards facing a region and consider the risk posed by natural hazards
- require RPCs to consider what further work is needed to prepare for the preparation of NBE plan content on reducing risks from natural hazards. This could include:
 - determining areas that are at risk and where further work may be required to determine if development is appropriate
- consider if existing infrastructure is sufficient to manage risks posed by natural hazards, and consider next steps if it is not
- reduce emissions and build resilience to severe weather caused by climate change.

We are not proposing that the first NPF will require regional planning committees (through RSSs) to identify areas that are not appropriate for development. Though, other tools may be considered to address this in the shorter term. We think this content is best placed in the second NPF which will inform NBE plans. NBE plans will require communities to identify and place restrictions on development in areas that are at risk. The second NPF will provide a nationally consistent process to ensure communities have the best tools and information at hand for these discussions. The second NPF will also carry over any direction developed in the short-to-medium term (described above).

However, the first NPF will require communities to consider what discussions they need to have and what information they need to gather to prepare for the discussions at an NBE plan level.

Subsequent NPFs will refine the national approach to the reduction of risks from natural hazards and incorporate relevant aspects of the Climate Adaptation Act. We

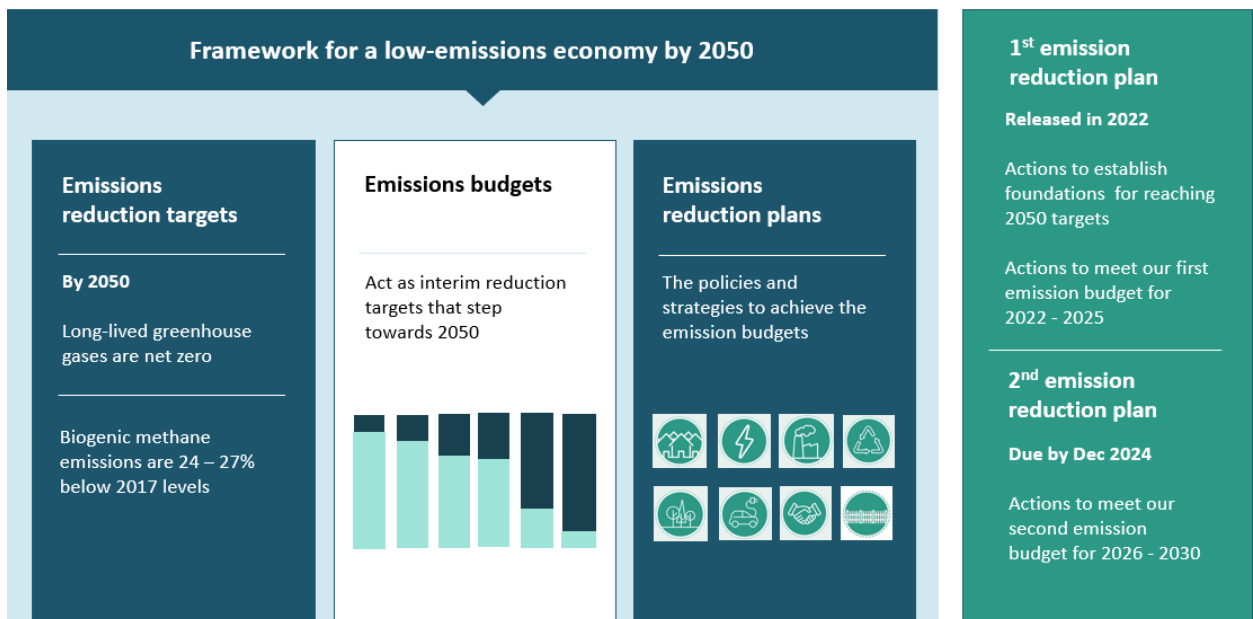
also expect that RSSs and NBE plans will continue to be refined and improved by communities.

Land-use and emissions pricing

Land use is how people use their land to provide for different needs and wants. This can include forestry, agriculture or conservations. Land use is influenced by:

- type of land
- access to land
- landowner and community aspirations
- push and pull of markets
- regulations
- the impacts of climate change (particularly as these impacts intensify).

Emissions pricing and the New Zealand Emissions Trading Scheme (NZ ETS) help us to address climate change. Emissions pricing provides a strong and stable signal of the cost of emissions to the economy. This will encourage climate mitigation across sectors and systems, the public sector and private sectors, businesses and households.



Emissions pricing affects what people can do with their land by encouraging some activities and not others. It also affects people's everyday lives such as through the price of goods. A range of work is underway and we want to ensure our Treaty partners are informed so we can hear what opportunities and barriers there are to achieving your aspirations, including how best we can engage.

The NZ ETS helps Aotearoa New Zealand to reduce greenhouse gas emissions. It is one of the Government's key tools to help meet our domestic emissions budgets and Nationally Determined Contribution (NDC) under the Paris Agreement. Reducing our emissions in Aotearoa reduces our reliance on emissions reductions from overseas to meet our NDC.

The NZ ETS covers most of our economy and puts a price on carbon pollution, to encourage households, businesses, investors, the private sector and the public sector to change their behaviour and reduce emissions, for example replacing coal boilers with electric alternatives. The NZ ETS also encourages emissions removals from the atmosphere, in particular, from planting trees.

Māori and the Emissions Trading Scheme

Māori have significant interests in the NZ ETS and any changes to it, as rangatira, kaitiaki, mana whenua, workers and business owners, communities, citizens, taxpayers and consumers. Most products have the cost of carbon built into the price, particularly food and petrol.

The Government has heard from Māori that more urgent climate action is needed, with Māori communities disproportionately vulnerable and already facing the impacts of climate change. We understand these impacts can compound existing wealth and broader wellbeing inequalities.

We have heard that links to tūrangawaewae, mahinga kai and other sites of significance will be important to preserve and support where possible.

Delaying action to reduce emissions now can also place a larger burden on future generations. This is particularly important for Māori, with nearly half their population under 25 years old.

Forestry is a key part of the current NZ ETS, and critical to meeting more ambitious targets. We have heard that forestry incentives in the NZ ETS can provide considerable opportunity. We know that Māori have significant interests in the forestry sector as Māori are estimated to own NZ\$4.3 billion in forestry assets, around 2,200 Māori are employed in the sector and around 30 per cent of Aotearoa New Zealand's forestry is estimated to be on Māori land.

We want to hear from our Treaty partners what land-use emissions pricing should support and how.

The emissions reduction plan (ERP) includes an action to adjust the NZ ETS to drive a balance of gross and net emissions removals (ERP action: 5.2.1). We want to understand what works for Māori when considering this.

This ERP action is important because under current policy settings, the NZ ETS is expected to drive considerable net emissions reductions by encouraging emissions removals mainly through exotic forestry rather than natives. It is not expected to drive the transport, energy and industry, building constructions, agriculture, waste and fluorinated gases sectors to reduce their emissions. Not addressing this now passes the burden on to future generations.

As we consider how the NZ ETS supports our transition to a low-emissions, resilient economy, we have an opportunity to think about how this can support not only climate outcomes, but other environmental, cultural and economic aspirations from land use. For example, the biodiversity and cultural co-benefits more native forestry may offer.

The ERP includes additional emissions pricing actions. These are to:

- explore offshore mitigation to support meeting our Nationally Determined Contribution
- adjust the forestry category
- assess how the Emissions Trading Scheme can support indigenous biodiversity
- develop a voluntary carbon market framework
- investigate new sources of emissions removals.

Forestry is one of the most effective tools we have at removing carbon dioxide from the atmosphere.

Forestry is needed to achieve our climate goals. When in the right place and managed well, forestry has wider benefits such as:

- providing economic opportunities for landowners, and employment opportunity for forestry workers and supporting industries, particularly in rural communities
- building resilience and helping us to adapt to the impacts of climate change, such as providing erosion control
- enhancing indigenous biodiversity
- improving freshwater quality
- supporting indigenous knowledge and cultural practices.

There are environmental, social and economic risks associated with forestry.

Due to recent increases in the carbon price, along with forestry's role in reaching our emissions reduction goals, and increased demand for wood products, we could see more exotic forestry such as pine. Large-scale land-use change can have unintended

impacts on the environment and rural communities. It will therefore be important that the type and scale of afforestation is balanced.

As we have seen following recent severe weather events, past and current land-use practices and the woody debris including forestry slash and sediment, can impact communities, livestock, buildings and the environment.

In general, native forestry has less social and environmental risk and more co-benefits than exotic forestry. However, native forests are not as effective in removing carbon in the short term and are less economically viable due to pest management and propagation costs.

This is why work is underway to ensure government levers (like policy, funding and regulation) encourage the types and amounts of forests and in the right place. This work includes:

- redesign of the NZ ETS permanent forestry category
- National Environmental Standards for Plantation Forestry work streams
- the Tairāwhiti Inquiry into land use
- maximising forest carbon programme
- exploring incentives for indigenous forests.

Other emissions removals could help achieve our climate goals

Non-forest activities such as blue carbon (eg, mangroves, wetlands), restoring peatlands, riparian zones and shrubland are possible options to remove carbon dioxide from the atmosphere while supporting other co-benefits, however, the NZ ETS does not currently accommodate their voluntary inclusion.

Work on how other removal activities could be recognised in the NZ ETS or other markets would need to consider how Aotearoa reports and accounts for its emissions internationally. Not doing so, may make our transition more costly.

Questions for discussion

Climate change, and our response to it, has the potential to affect all aspects of Māori life.

27. Based on your community's goals, how could the NZ ETS support you to achieve emissions reduction?
28. What land-use aspirations do you have for your whenua?
29. How would you like us to work with you going forward?
30. How can we enable and support conversations about opportunities and impacts of climate change in your rohe?

Appendix 1: Questions for discussion

1. Do you have any feedback on the suggested approach to decision making and conflict resolution?
2. Do you have any feedback on the suggested direction on engagement?
3. Do you have any feedback on the suggested approach to monitoring?
4. Do you have any feedback on the proposed changes to Resource Management Act 1991 national direction to ensure it is fit for purpose in the new system?
5. Do you think any other changes are needed to Resource Management Act 1991 national direction when it is redrafted into the National Planning Framework to ensure it aligns with the Natural and Built Environment Bill? This includes giving effect to the principles of te Tiriti o Waitangi.*
6. Do you have any feedback on the suggested climate change mitigation content for the first National Planning Framework?
7. Do you have any feedback on the suggested natural hazards content for the first NPF?
8. What sort of scale would ensure no net loss of ecological integrity and allow development within the management unit?
9. How can adding complexity to planning decisions be avoided?
10. How can the intrinsic relationship between iwi and hapū and te taiao be expressed?
11. How can the interconnectedness of all parts of te taiao be provided for?
12. How can we simplify implementation of management units to meet the purpose of limits and targets and to provide flexibility for appropriate offsetting?
13. How do we enable mātauranga Māori at place, including monitoring from a mātauranga Māori perspective, to measure how te taiao is improving?
14. How would your iwi/hapū like to be involved in developing limits and targets content for the NPF and how might we support you to do this?
15. Do you have any feedback on the proposed infrastructure direction?
16. How can infrastructure be enabled in a way that still allows other outcomes to be achieved?
17. Do you have any feedback on the suggested content on outstanding natural features and landscapes?

18. How should regional planning committees take into account outstanding natural features and landscapes already mapped when making decisions on regional spatial strategies?
19. How can outstanding natural features and landscapes be protected in a way that also allows for other outcomes to be achieved?
20. How should regional planning committees take into account cultural heritage that is already identified and other places which warrant further investigation when making decisions on regional spatial strategies?
21. How can cultural-heritage places best be conserved in a way that also allows for other outcomes to be achieved?
22. Do you have any feedback on the suggested urban trees content for the first National Planning Framework?
23. Do you have any feedback on the suggested significant biodiversity areas criteria for the first National Planning Framework?
24. How would you like us to work with you going forward?
25. How can we best support you as you consider implementation of the new system in your rohe?
26. How can we enable and support conversations about the new resource management system in your rohe?
27. Based on your community's goals, how could the NZ ETS support you to achieve emissions reduction?
28. What land-use aspirations do you have for your whenua?
29. How would you like us to work with you going forward?
30. How can we enable and support conversations about opportunities and impacts of climate change in your rohe?

Appendix 2: Glossary of terms

CAA	Climate Adaptation Act
NBE Act	Natural and Built Environment Act
NBE Bill	Natural and Built Environment Bill
NBE plan	Natural and Built Environment Plan
NPF	National Planning Framework
RMA	Resource Management Act 1991
RPC/RPCs	Regional planning committee / regional planning committees
RSS/RSSs	Regional spatial strategy / regional spatial strategies
SP Bill	Spatial Planning Bill
SPA	Spatial Planning Act
Te Tiriti	Te Tiriti o Waitangi the Treaty of Waitangi

Appendix 3: Resource management system reform key documents

Environment Committee. 2021. *Inquiry on the Natural and Built Environments Bill: Parliamentary Paper*.

Ministry for the Environment. 2020. *Reforming the resource management system*. Cabinet Paper CAB-20-MIN-0522. Wellington: Cabinet Office, Department of the Prime Minister and Cabinet.

Ministry for the Environment. 2021. *Departmental Report on the Natural and Built Environments Bill exposure draft*.

Ministry for the Environment. 2021. *Extracts from Waitangi Tribunal commentary, findings and recommendations on the Resource Management Act 1991*.

Ministry for the Environment. 2021. *Interim regulatory impact statement: Reforming the resource management system*.

Ministry for the Environment. 2021. *Natural and Built Environments Bill: Parliamentary paper on the exposure draft*.

Ministry for the Environment. 2021. *Our future resource management system: Materials for discussion*.

Ministry for the Environment. 2022. *Our Future Resource System: Overview*.

Ministry for the Environment. 2022. *Supplementary Analysis Report: The new resource management system*.

New Zealand Productivity Commission. 2017. *Better urban planning: Final report*.

Resource Management Review Panel. 2020. *New Directions for Resource Management in New Zealand: Report of the Resource Management Panel Review: Summary and key recommendations*.

Severinsen G, Peart R. 2018. *Reform of the Resource Management System: The Next Generation Synthesis Report*. Prepared for the Environmental Defence Society Incorporated.