

28 February 2022

Ministry for the Environment
BY EMAIL

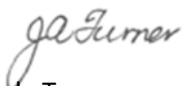
Dear Sir/Madam

WRITTEN FEEDBACK ON OUR FUTURE RESOURCE MANAGEMENT SYSTEM

Please find attached Whakatāne District Council's written feedback on the document *Transforming Aotearoa New Zealand's resource management system: Our future resource management system*.

While Whakatāne District Council is generally supportive of the proposed resource management reforms, we note that these have significant implications for local government but are taking place ahead of the Future for Local Government review. As a general comment, additional to our attached submission, we would urge central government to ensure these two workstreams are consistent with each other and working towards common outcomes.

Yours sincerely,



Judy Turner
Mayor

Whakatāne District Council Feedback – February 2022.

Questions	WDC Response
National Planning Framework	
What role does the NPF need to play to resolve conflicts that currently play out through consenting?	<p>The NPF's role should be to resolve conflict through providing clear direction, particularly for contentious matters, and consistency for environmental limits, where there is likely to be limited natural variation between different areas.</p> <p>The NPF should also provide direction, or at least guidance, on balancing different environmental outcomes.</p>
How would we promote efficiency in the Board of Inquiry process while still ensuring its transparency and robustness?	<p>The NPF would benefit from being developed as one programme of work, such that there is internal consistency between the various provisions, and certainty as to how to apply it.</p> <p>Transparency and robustness of the Board of Inquiry process can come through ensuring supporting technical documents are readily available and a process for making submissions and having them heard is in place. We note that these processes would not normally be able to be appealed and consider that that makes their development rather efficient.</p>
How often should the NPF be reviewed, bearing in mind the relationships between the NPF, regional spatial strategies and the Natural and Built Environments Act plans?	The NPF should be reviewed every 9 years. This will provide sufficient time for implementation and monitoring of outcomes, and to identify issues that need addressing.
Regional spatial strategies	
To what degree should regional spatial strategies (RSS'S) and implementation agreements drive resource management change and commit partners to deliver investment?	RSS's should drive change and require partners to deliver investment through implementation agreements. This approach should be strong commitment to ensure certainty of delivery. The nine year review should be used to revisit assumptions, including if there are changes in the affordability of projects.
How can appropriate local issues be included in RSS's?	RSS's should be able to include sub-regional sections to ensure local issues can be included. This is particularly important in large or diverse regions, where significant diversity may exist between areas. For example, Whakatāne District Council is likely to have issues in common with the other territorial local authorities in the Eastern Bay of Plenty that are less prominent in other parts of the region. Further detail of these local issues

	should be addressed as sub-regional sections of the NBE Plans and through Local Plans under the LGA.
With regional and unitary council boundaries proposed for RSS's, how should cross-boundary issues be addressed?	Cross-boundary issues should be addressed on an issue by issue basis, to ensure the appropriate parties are represented.
NBA plans	
Do you agree with the Randerson Panel's recommendation to have one combined NBA plan per region?	Yes, we agree with this recommendation.
Would there be merit in enabling sub-regional NBA plans that would be incorporated into an NBA plan?	Yes. Sub-regional NBA plans could better target specific conditions and issues within larger regions that contain a wide range of environments and communities. For example, the Bay of Plenty comprises urban centres, rural towns, small townships and large rural areas which are located in an environment which includes coastal land, floodplains, hills and has large areas of native forest areas. Sub-regional NBA plans would help ensure that place-making outcomes are reflected in the NBA plan.
What should the role of local authorities and their communities be to support local place-making and understanding of local issues in NBA plans?	The outcomes-focused approach mean that local authorities will need to be actively involved in facilitating place-making, particularly in smaller communities. Under the new framework, place-making is likely to become a key role for TA's under the new framework.
Will the proposed plan-making process be more efficient and effectively deliver planning outcomes?	A truncated appeals process should speed up the planning process. However, effective place-making takes time and the early public participation processes are likely be time consuming if they are to be effective.
How the NPF, RSS and NBA will work together. RSS and NBA joint committees	
How could a joint committee model balance effective representation with efficiency or processes and decision-making?	Establishing sub-regional committees with delegated authority to deal with local issues would improve representation and would reduce the overall workload of the joint committee. The joint committee and any sub-committees will need to either contain or be supported with the appropriate technical skills.
How could a joint committee provide for local democratic input?	Sub-regional committees would increase accessibility and enable a greater level of democratic input, particularly in regions covering a wide geographic area. Holding joint committee meetings in different locations across a large region could also enable a greater level of local input and increase overall visibility and accessibility. In addition, recognition needs to be given to existing spatial plan work that is robust and has integrity. This existing work could serve as a starting point for RSSs.

How could a joint committee ensure adequate representation of all local authority views and interests if not all local authorities are directly represented?	Local authorities should be represented otherwise there is a risk that districts containing diverse and widespread communities will become disenfranchised. Sub-regional committees that focus on local issues would also provide an opportunity for local authorities to focus on local issues, but all local authorities should be represented on the joint committee.
Are sufficient accountabilities included in the proposed new integrated regional approach to ensure the strategies and plans can be owned and implemented by local authorities?	All local authorities should be represented on the joint committee, if they are to be responsible for implementing the strategies and plans.
How should the joint committees be established?	Responsibility for the establishment of joint committees should be with all the local authorities within a region.
Consenting	
Will the proposed future system be more certain and efficient for plan users and those requiring consents?	The proposed system should provide more certainty regarding the extent and timing of long term growth areas, as they will be identified in the RSS's and the NBE Plans. However, increasing the number of activities that are permitted may actually increase uncertainty for users due to differing interpretations of compliance with those permitted provisions.
Compliance, monitoring and enforcement	
Do you agree with the proposed changes to compliance, monitoring and enforcement provisions and tools?	Having a wider range of CME provisions and tools will enable greater flexibility in the application of these measures.
Monitoring and system oversight	
Will these proposals lead to more effective monitoring and oversight of the system?	This will depend on the details of the new NBE Plans and broader framework. Enabling Māori to be involved and increased oversight from central government into oversight of the system is likely to increase accountability and transparency. Local authorities will need to increase CME resourcing and reporting, and this will add costs. Assuming central government funds the participation of Māori, CME should be effective.
Will the system be able to adequately respond and adapt to changing circumstances?	It is too difficult to tell at this stage as there is insufficient detail on the final framework.
Role of local government in the future system	
What does an effective relationship between local authorities and joint committees look like?	An effective relationship requires local authorities providing representatives to joint committees.

What other roles might be required to make the future resource management system effective and efficient?	Local authorities will need delegations to advocate on behalf of their local community, particularly if some development rules are nationalised or regionalised. Local authorities will require mandated roles and responsibilities at a local level.
What might be required to ensure the roles and responsibilities of local authorities can be effectively and efficiently delivered?	The flow chart on p36 identifies local place-making as a key part of the entire process, yet there is limited discussion within the discussion document regarding place-making, its importance and how it fits within the proposed framework. Further direction and guidance on how local placemaking should be incorporated into the new framework is required.
National Māori entity	
What functions should a national Māori entity have?	This should be determined between hapū/iwi/Māori and central government.
What should the membership and appointments process be for the entity?	
Joint Committee Composition	
Should parties in a region be able to determine their committee composition?	There should be some requirements regarding membership, as found in part in the Exposure Draft of the NBA, but a degree of flexibility is required to allow regions to ensure that the members of the joint committees are appropriately representative.
What should be the selection and appointments processes for joint committee members?	This should be determined by the local authorities within a region, working with hapū/iwi/Māori. Selection of committee members should include consideration of appropriate skills and knowledge.
How do we best provide for existing arrangements (eg Treaty settlement or other resource management arrangements)?	Uphold the integrity of existing arrangements within the new framework.
Funding in the future system	
How should funding be distributed across taxpayers, ratepayers and individuals?	Local authorities should fund their involvement in the future system, including participation in the development and implementation of the RSS and NBE Plans. However it is important that central government contributes both to the costs of developing these plans as well as providing resources to enable Māori participation.
How should Māori participation be supported at different levels of the system?	Māori participation should primarily be funded by central government, with participation determined by Māori with local authority support at a regional and local level.