



Infrastructure
New Zealand

Crombie Lockwood Tower
Level 16, 191 Queen Street
PO Box 7244
Victoria Street West
Auckland 1142
New Zealand

Phone: +64 9 377 5570
Email: office@infrastructure.org.nz

**Submission to the Ministry for the
Environment on the discussion
document, *Our future resource
management system: Materials for
discussion***

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1. Introduction

- 1.1 Infrastructure New Zealand welcomes this opportunity to make a submission on the Ministry for the Environment's (the Ministry) discussion document titled *Our future resource management system: Materials for discussion*.
- 1.2 This is Infrastructure New Zealand's submission on the discussion document.
- 1.3 If you have questions or queries, please feel free to contact me – Claire Edmondson, Chief Executive – at claire.edmondson@infrastructure.org.nz.

About Infrastructure New Zealand

- 1.4 Infrastructure New Zealand is New Zealand's leading infrastructure member association and the leading advocate for New Zealand's infrastructure sector. We promote best practice in national infrastructure development through research, advocacy and public and private sector collaboration. Our members come from diverse sectors across New Zealand and include infrastructure service providers, investors and operators.
- 1.5 Infrastructure New Zealand has been a lead advocate for the overhaul of the resource management system with the Employers and Manufacturers Association, Property Council New Zealand and the Environmental Defence Society.

A partnership approach for the long haul

- 1.6 The reform of the resource management system is a 10-year work programme. We would like to continue working collaboratively with the Ministry as a key partner.
- 1.7 The targeted engagement process provides insights into the Ministry's approach and provides it with an opportunity to test its thinking with key stakeholders.

National and Build Environments Bill

- 1.8 Infrastructure New Zealand appreciates the Government making public an exposure draft of the Natural Built and Environments Bill (**NBEB**) and setting up a Parliamentary inquiry process to receive feedback on the exposure draft.
- 1.9 The exposure draft – while incomplete – provided insights into the Government's thinking, and possible shape and form of the NBEB.
- 1.10 We made a substantive submission on the exposure draft of the NBEB. The submission points raised remain relevant and a copy of that submission is attached to this submission as **Appendix 1**. The submission discussed several matters that are directly relevant to this discussion document and include matters such as support for a national planning framework in principle and funding and composition of planning committees.

Defining infrastructure

- 1.11 The exposure draft did not include a definition for infrastructure. It would be useful to see a draft definition before the NBEB is tabled in Parliament.

The draft purpose

- 1.12 Our exposure draft submission noted that the draft purpose leaned heavily towards the natural environment and not focus on the built environment or for development to occur. Similarly, for the provision of essential infrastructure that promotes social, economic, environmental, and cultural wellbeing.
- 1.13 The purpose must recognise the importance of enabling urban development within the built environment.
- 1.14 We proposed that the NBEB's purpose – clause 5(1) – should be expanded as follows as follows:

Purpose of this Act

- (1) The purpose of this Act is to enable-
- (c) urban development to occur
 - (d) infrastructure to be provided without undue delay, ensuring the delivery of critical and/or significant public infrastructure that promotes social, economic, environmental, and/or cultural well-being is not inhibited
 - (e) the net benefits of infrastructure projects and urban development in promoting social, economic, environmental, and/or cultural wellbeing to be the primary consideration.

- 1.15 It would be useful to see an updated purpose of the NBEB before the Bill is introduced to Parliament.

Strategic Planning Bill

- 1.16 In the absence of an exposure draft, we are relying on continuing engagements with the Ministry on the possible shape and form of the Strategic Planning Bill (**SPB**).
- 1.17 It would be useful to get insights into clauses relating to the purpose, objectives and other strategic parts of the SPB before it is introduced to Parliament.

Aim high

- 1.18 We need to aim high and should endeavour to achieve a system that is able to easily facilitate a fully online – and partially automated – consents application process.
- 1.19 We need to ensure the resource management system reform process considers other significant reforms such as the Three Waters Reform Programme and the Review into the Future for Local Government.

2. Enabling infrastructure projects/delivery

- 2.1 Infrastructure New Zealand's submission on the exposure draft of the NBEB discusses the need to better integrate the natural and built environments by enabling development to occur. The Resource Management Act 1991 is largely focused on mitigating adverse effects of a proposed activity on the natural environment. This narrow approach has been a primary cause of inefficiencies in the resource management system.
- 2.2 My concern is that while reform of the resource management system may deliver improved outcomes for the natural environment and tangata whenua, it will likely continue to deliver

poor outcomes for infrastructure. The same holds true for housing and urban development in general.

- 2.3 The NBEB and SPB should be able to enable the delivery of infrastructure.
- 2.4 Recognising net benefits of proposed infrastructure projects – just like the proposed focus on recognising cumulative effects – is a critical component of enabling infrastructure delivery. It would be counterintuitive to only recognise cumulative effects but not recognise net benefits of infrastructure projects.
- 2.5 As outlined in our submission on the NBEB’s exposure draft, the Natural and Built Environments Act should:
 - integrate well with the wider urban planning system
 - simplify, streamline and shorten the length of processes
 - reduce the number of instances a consent application is required
 - recognise the net benefits of a project instead of decisions being made on the support and objections received on an application, which are often localised
 - enable critical and/or significant infrastructure to be consented/approved faster compared to under the RMA
 - negate the need for a statute like the COVID-19 Recovery (Fast-track Consenting) Act 2020 or the Housing Accords and Special Housing Areas Act 2013 to progress significant infrastructure projects or enable urban development
 - enable urban development to occur without vexatious objections.
- 2.6 While the future resource management system should be able to negate the need for a separate statute to fast-track infrastructure projects, it is important there are inbuilt mechanisms within the Natural and Built Environments Act to ensure that significant infrastructure projects are able to secure consent quickly and do not face undue delays, as is the case under the current system. The COVID-19 Recovery (Fast-tracking Consenting) Act 2020 has worked well in this regard and consideration needs to be given to how it can become a standard feature in a future system for consent applications relating to significant infrastructure projects.
- 2.7 As an interim measure, Infrastructure New Zealand will advocate for an extension to the fast-track consenting legislation to beyond 8 July 2023.

3. Development of regional spatial strategies

- 3.1 As stated above, the absence of an exposure draft of the SPB has meant that we are relying on our engagement with the Ministry to gauge its likely shape and form.
- 3.2 The SPB needs to stipulate what regional spatial strategies should include and how they are to influence natural and built environments plans. On the same token, legislation needs to be clear whether a natural and built environments plan only needs to be consistent with a regional spatial strategy or give effect to it.

4. Sector representation on committees

- 4.1 The current proposal is for natural and built environments plans and regional spatial strategies to be developed by joint committees comprising of representatives from hapū/iwi/Māori, local government. In the case of natural and built environment plans, a representative may

potentially be appointed by the Minister of Conservation while in the case of regional spatial strategies, central government would also be represented on the respective joint committees.

- 4.2 As part of our engagements with the Ministry, we, along with Property Council New Zealand and Employers and Manufacturers Association have continually raised the need for private and infrastructure sector representation on the joint committees.
- 4.3 Private and infrastructure sector representation on the joint committees will provide completeness and help with insights into market realities, efficiency of processes and decision-making by balancing policy and planning decisions with knowledge on whether proposals can be practically implemented. Sector representation will also help with the delivery and implementation of regional spatial strategies.
- 4.4 We agree with the submission point made by Property Council New Zealand, that sector representation on joint committees does not need to be common membership, as it could provide opportunity for more localised membership at the committee level. Furthermore, private sector membership should be determined on a region-by-region basis. This would further help with the overall decision-making process.

5. Conclusion

- 5.1 I thank the Ministry for the opportunity to submit on its discussion document.
- 5.2 The ongoing engagement with the Ministry is also highly appreciated as it demonstrates a genuine commitment to meaningfully engage with partners and stakeholders as part of reforming the resource management system.
- 5.3 I look forward to continuing to engage with the Ministry on this once-in-a-generation reform programme.



Claire Edmondson
Chief Executive
Infrastructure New Zealand