



Property Institute: Resource Management update

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17 June 2022



What we will cover today

01

Fast track
consenting
legislation

02

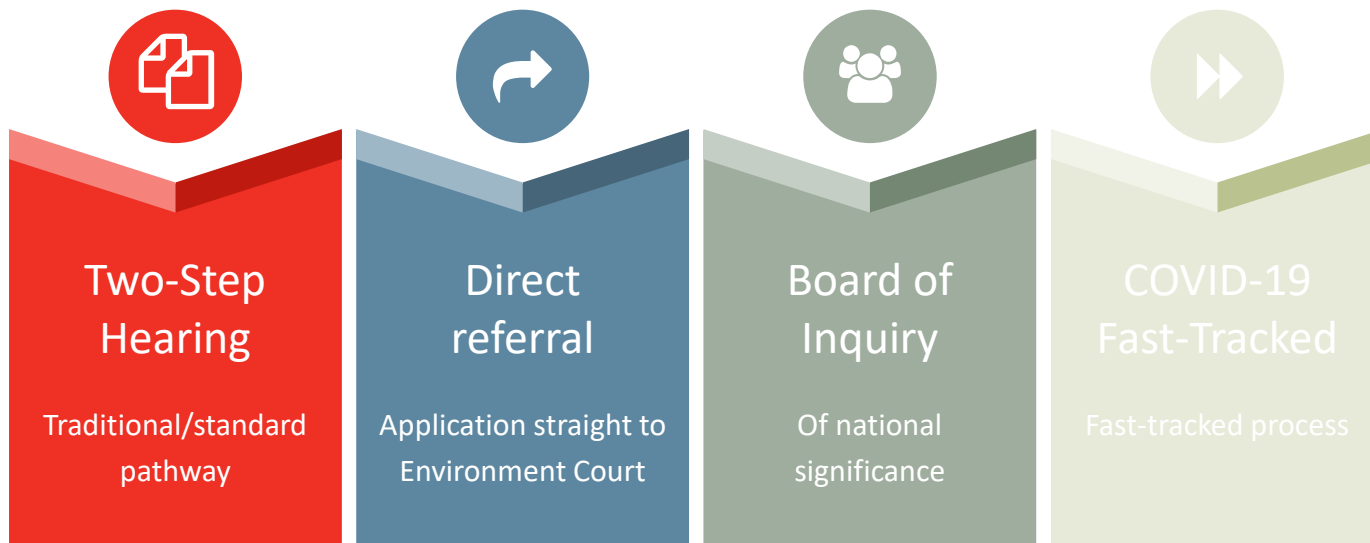
Enabling Housing
legislation

03

RM reforms –
update



Four “Consenting Pathways”



What is it?

COVID-19 Recovery
(Fast-track
consenting)
Act 2020



Projects that are
already planned
and ready to go



Does not
amend the
RMA



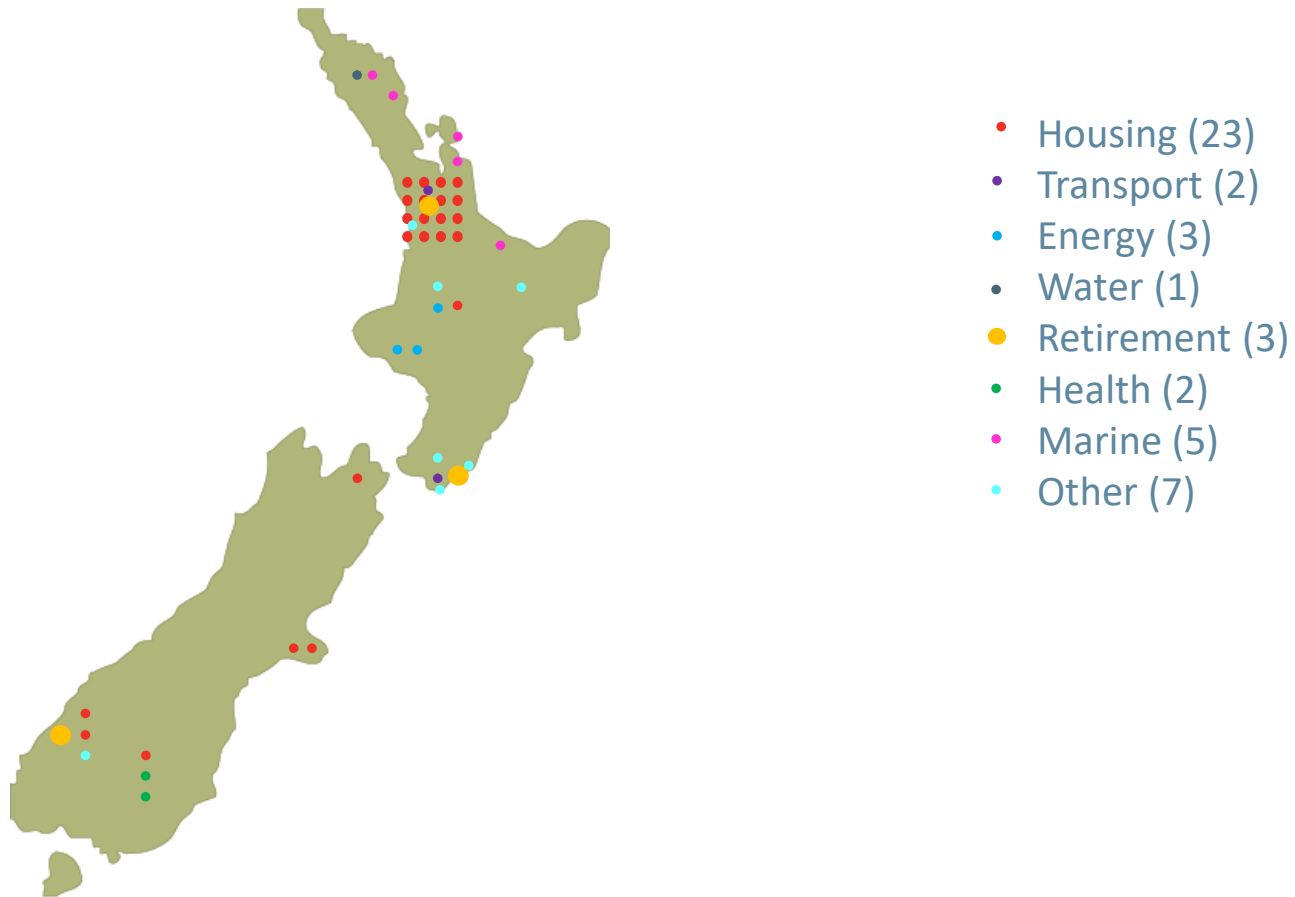
Short-term
consenting process
to fast track
projects that can
boost employment
and economic
recovery



Purpose of
the Act



to **urgently promote employment** to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the **certainty of ongoing investment** across New Zealand, while continuing to promote the **sustainable management** of natural and physical resources

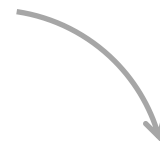


Key steps:

Ensure required information is provided (purpose of Act – employment and investment certainty) and criteria are met



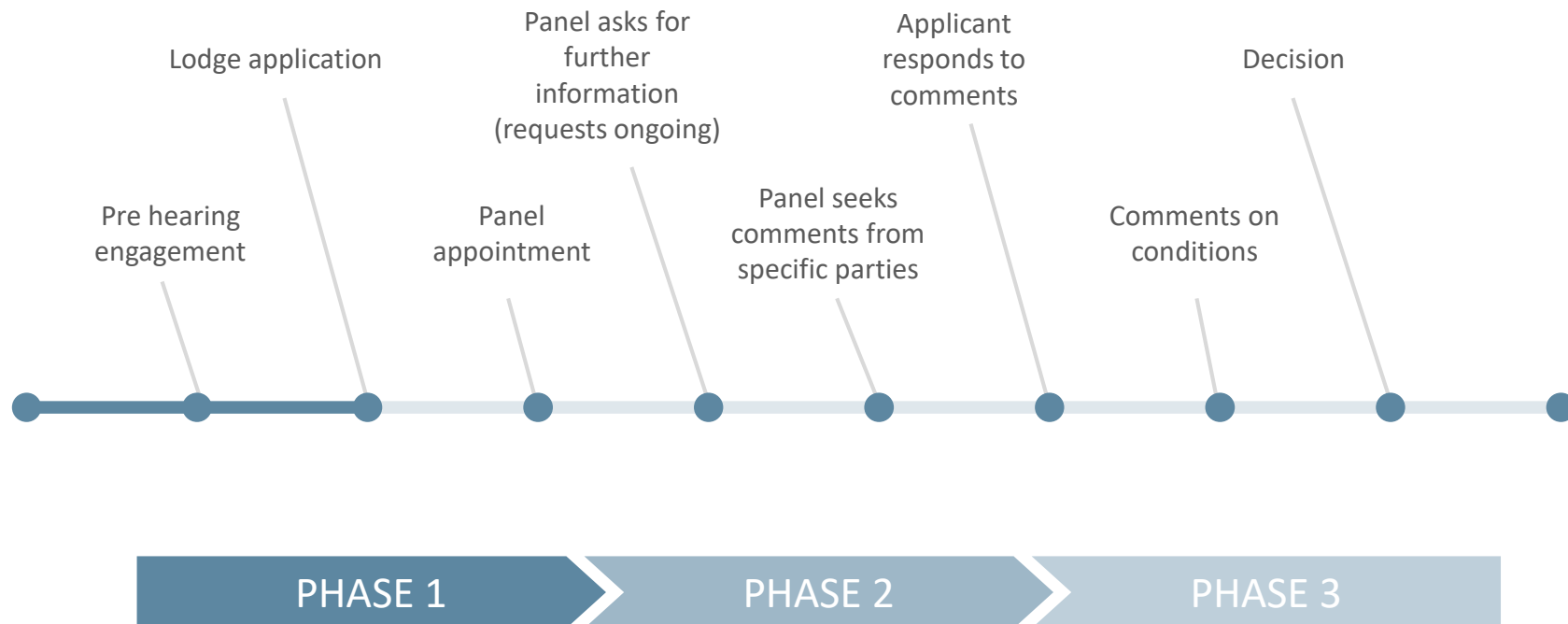
Minister seeks comments from Crown ministers, relevant local authorities, any other persons the Minister considers necessary, can request further information (s 21)



Accepted if satisfied the project meets the purpose of the Act and the eligibility criteria, then Order in Council recommended to the Governor General.



EPA process



Advantages



- Clear timeframes, once application has been referred (45 or 70 days if extended)
- Hearing unlikely
- No public or limited notification (but comments sought)
- Council's role is limited to comments
- Limited rights of appeal – High Court on points of law



Disadvantages



- Delays in pre-application processes
- No prescribed timeframe for Minister's decision
- High level of detail required
- Requirement for a CIA (or explanation why not)
- Limited opportunity to make changes once lodged with EPA
- If no hearing difficult to respond to comments/amend application
- Not a plan change
- 2 year lapse period (including subdivision)
- Negative public perception
- Sunset self-repeal clause 8 July 2023



RM (Enabling Housing Supply ..) Amendment Act 2021

- Tier 1 authorities required to lodge “intensification planning instrument” by 20 August 2022
- Intensification streamlined planning process - ISPP
- MDRS to be applied to most residential zones unless a qualifying matter applies
- Provisions of IPI will mostly have immediate legal effect
- Auckland Council - draft zoning maps for discussion, also Christchurch, Western BoP, Kapiti, Hutt City, Porirua

What can go into an Intensification Planning Instrument (IPI)?

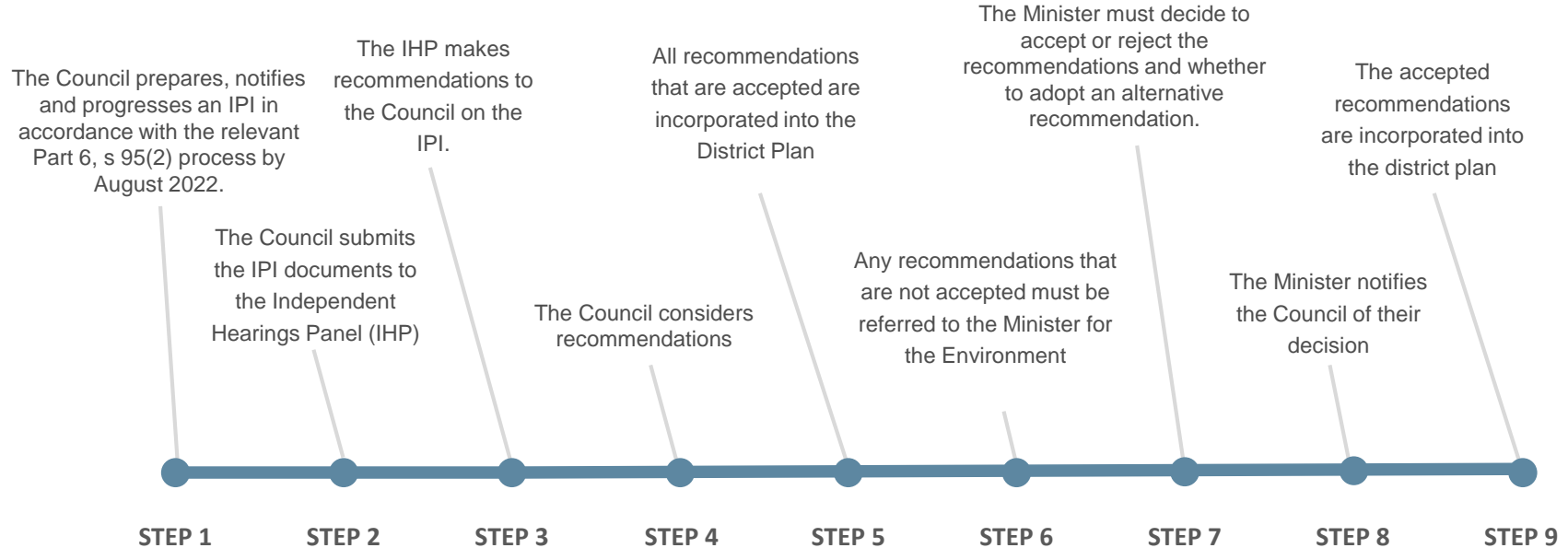
An IPI **must**:

- 01 Incorporate the Medium Density Residential Standards (MDRS)
- 02 Give effect to the applicable policies of the National Policy Statement on Urban Development (NPS-UD)

An IPI **may** amend or include:

- 01 Provisions relating to financial contributions, if the specified territorial authority chooses to amend its district plan under s 77T
- 02 Provisions to enable papakāinga housing in the district
- 03 Related provisions which support the MDRS or the applicable policy of the NPS-UD
- 04 “Related provisions” include provisions that relate to district-wide matters, earthworks, fencing, infrastructure, qualifying matters per s 77I or 77O, storm water management or subdivision of land.

Intensification Streamlined Planning Process (ISPP)



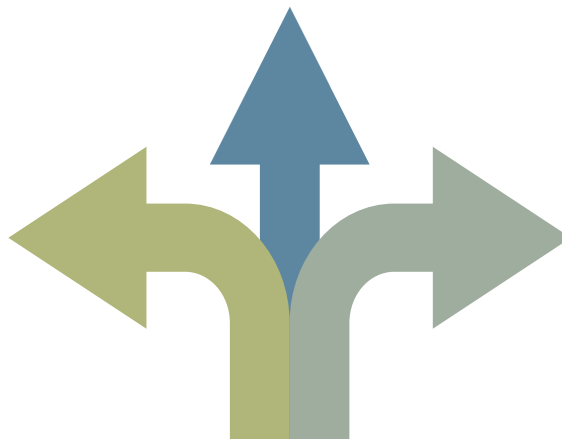
RMA Reform

Natural and Built Environments Act (**NBEA**)

Direct replacement for the
RMA. Power for National
Planning Framework.

Climate Adaptation Act (**CCAA**)

Will support New Zealand's response
to the effects of climate change by
supporting the climate change
adaptation efforts of councils.



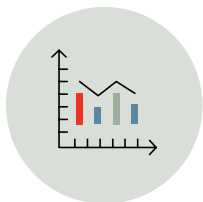
Spatial Planning Act (**SPA**)

Will provide a strategic and long-term
approach to how we plan for using land
and the coastal marine area.

Climate Change Adaptation Act



This Act will support New Zealand's response to the effects of climate change. It will address the complex legal and technical issues associated with managed retreat and funding and financing adaptation.



Timeline?



Pātai me kōrero

Questions