

30 July 2021

**To:** Committee Secretariat  
Environmental Committee  
Parliament Buildings  
**Wellington 6160**

By email: [en@parliament.govt.nz](mailto:en@parliament.govt.nz)

**Submission by Rangitīkei District Council to the Inquiry on the Natural and Built Environments Bill:  
Parliamentary Paper**

**INTRODUCTION**

The Rangitīkei District Council thanks the Environmental Committee for the opportunity to submit on the Natural and Built Environments Bill Exposure Draft and welcomes further opportunities to be involved in the discussions moving forward.

The Rangitīkei District is one of New Zealand's largest territorial authorities, characterised by a relatively low population spread between small towns. Our District contains a mix of hill country areas and lowland plains. The District for many years had static population growth and is now experiencing unprecedented growth. As such, we have responsibilities for providing our communities with improved infrastructure needs with a need to be agile in our decision-making processes.

**SUBMISSION**

**General**

Council generally supports the need for change in order to protect and restore the natural environment, enable development within environmental limits and outcomes, give effect to Te Ao Māori and improve system efficiency.

The Resource Management Act 1991 (RMA) has become cumbersome, time consuming and expensive to administer. To date, the Council considers that the RMA has not delivered on the desired environmental or development outcomes. We support the split of legislation into three new Acts with the ambition of creating a less complex and more affordable RM system for all parties, including Local Government.

Our more specific concerns relate to the retention of local community and democratic inputs, how competing interests are to be addressed, and how the administration and regulation of the Natural and Built Environments Act (NBA) will enable responsive decision-making.

## Plans and Plan Making

Council generally supports the consolidation of plans in order to provide regional cohesion. We acknowledge that this approach is practical for certain issues in relation to cross-boundary inconsistencies and reducing the complexity of development provisions between districts.

However, Council currently has concerns relating to the regionalisation of the process and how appropriate local input will be retained in decision making. Our Council wishes to ensure that local authority input which reflects the needs of our local communities is maintained.

The District has seen significant growth and environmental change over the last five years, requiring Council to be agile in order to respond to this unprecedented growth and change. The drivers for development vary across the region and between individual local communities. There are distinct differences between the north and south of the Rangitikei District, and Council wishes to ensure that the new Resource Management system and documents account for differences at a local community spatial scale. At this stage, it is not clear that local differences and aspirations will be articulated and easily achieved under the new NBA plans.

Council is concerned that flexibility and local distinctions will be lost at a regional spatial scale and that large regional documents will not prioritise or be nimble enough to respond to local changes. Further detail on how the National Planning Framework (NPF) and NBA plans will be prepared and implemented at a district level is required. Council wishes to ensure local authorities are not hindered in meeting their duties or functions to provide a range of services for their communities under different legislation.

Our Council considers that existing information from local authorities, including recent plan changes, should be used for new plan making. The current District Plan represents the direction for Council. To create a new plan without using this vital information and direction is not supported. We understand that information such as spatial plans, which aligns with the anticipated requirements of the NBA, would form the basis of the new regional plans. The Council, like other councils around the country, are already preparing spatial plans recognising our local community's own Resource Management goals and future aspirations. Such goals and aspirations vary significantly between districts in the region. Further clarification is required on how these plans will be developed so that a one size fits all approach does not result, thereby losing the local focus and flavour.

## Competing Interests

Our Council has concerns in relation to how competing interests will be managed through the NBA, particularly between environmental and developmental outcomes, between regions, and within regions between districts and local communities.

The provision of housing and increased development appears to be a focal point for the legislative functions of the NBA. However, under Part 2, the protection and enhancement of the natural environment is outlined as a priority over urban development. The provision of infrastructure is also not clearly enabled in Part 2, creating significant risks of conflict and uncertainty for public and private development. Disparities between environmental and developmental outcomes were not effectively managed under the RMA and not enough detail is yet provided to determine how this will be better managed under the NBA.

Council acknowledges that decisions made at a local level can have implications for other political jurisdictions and coordinated regional governance structures are aimed at combating this. However, decisions made at a regional scale may not reflect the interests of local communities, where many local communities will have competing interests in relation to economic development and environmental outcomes. Council may be held accountable by our local communities for regional outcomes, and the NBA does not currently provide a process for how competing interests will be managed spatially. For example, the zoning of land at a regional scale may constrain local authorities. Council has prioritised the Marton Rail Hub on the basis that it is expected to deliver significant economic gains for the District, and a large area of land has been rezoned to industrial for this. This project does not conflict with regional priorities but could have been perceived to do so by a regional entity. The local community's ability to achieve funding and provide for their economic needs may be reduced. This unintended consequence of a regional approach is a significant concern to Council and must be avoided in the new Resource Management system, by prioritising local community inputs in decision making.

## Environmental Limits

A 'use within environmental limits' approach is identified within the NBA, prescribed through the NPF or within natural and built environment plans. Council has concerns in relation to how environmental limits may affect the provision of essential services provided by Council. For example, nitrogen is a limiting factor in relation to land-based discharge volumes. More land may then be required for wastewater disposal to meet the new environmental limits. The provision of land for wastewater disposal purposes then potentially conflicts with the affordability and availability of land for primary production or for housing development. Local authorities need to be fully and directly involved early in the process to establish environmental limits which directly affect their functions and responsibilities.

Council suggests the use of 'environmental targets' as an alternative in certain circumstances and/or as an interim measure. This would provide a transitional period for local authorities, and other entities that deliver essential services, to plan and budget for the continued delivery of such services within defined environmental limits or utilising alternative methods. Local communities nationally are constrained in achieving environmental standards by the significant costs for such works. Provision of a transitional period would also allow time for further direction and clarity to be provided in relation to the implications of the Three Waters Reform for local authorities.

## Enforcement

The NBA does not currently include any provisions for enforcement, and further detail on who the regulators will be and how enforcement will be undertaken, is required. The setting of environmental limits will require some form of monitoring, compliance and enforcement measures. In order to improve the efficiency of the RM system and improve environmental outcomes, enforcement measures must be improved. Currently there is insufficient detail to determine how this will be achieved under the NBA. Is the intention for the District to continue to complete compliance monitoring and enforcement or will this rest with the regional entity given the plans are prepared at a regional scale.

## Co-governorship

The NBA prescribes that 'Planning Committees' will be created for each region as co-governorship entities, containing representatives from each of central government, regional council, district council and mana whenua. Council supports a co-governorship model, however, has concerns relating to the impact these large entities may have on local decision-making. The sheer size of the Planning Committee, especially in smaller communities, may unnecessarily delay and complicate decision-making processes and reduce the agility of local authorities to act.

Council are increasingly concerned about the ability for iwi, hapū and whanau to participate given many are currently under resourced. Is the Government intending to financially support iwi, hapū and whanau to participate in the formulation of the Spatial Strategies, NBA combined plans, and in local decision making. Significant central government resourcing for participation and for capacity building within Te Ao Māori sector is required to facilitate appropriate and robust iwi representation at all levels of RM decision-making.

## CONCLUDING THOUGHTS

The key point from this submission is the need to ensure that local community inputs into decision making are retained, and our Council considers that this is best undertaken by local authorities. Our Council wishes to ensure that as provisions and decision-making processes under the NBA are further developed, that local authorities are prioritised as the conduits for local community inputs.

Thank you again for the opportunity to submit and provide an initial response to the NBA Exposure Draft. Rangitikei District Council welcomes the opportunity for further discussion and involvement as more detailed information is made available in this RM reform process.

Yours sincerely



Andy Watson  
Mayor of the Rangitikei

