NATURAL AND BUILT ENVIRONMENTS BILL
EXPOSURE DRAFT

SUBMISSION TO THE SELECT COMMITTEE

SUBMITTER INFORMATION

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INTRODUCTION

1. Papa Pounamu acknowledges and thanks the Select Committee Inquiry process for considering submissions on the exposure draft of the Natural and Built Environments bill (the **'Bill'**) and accompanying parliamentary paper, before the whole Bill is introduced into the House alongside the proposed Strategic Planning Bill and the Climate Change Adaptation Bill.

   Papa Pounamu is a technical interest group which aligns with the Special Interest Groups (SIG) within the New Zealand Planning Institute (NZPI). Papa Pounamu focuses on the role of Māori and Pacific peoples in the New Zealand planning framework, and the integration of Māori perspectives in resource management planning and decision-making. Papa Pounamu complements the strategic direction of NZPI by providing a fully informed Māori and Pacific perspective. This SIG provides Māori and Pacific leadership, alongside NZPI, for the co-existence of two paradigms in managing Aotearoa's environmental taonga / natural resources[1].

   Papa Pounamu is not a relationship management group.

   Papa Pounamu has a relationship with our Pacific Planning whanau, 'Aotearoa Pacific Practitioners Group' (APPG), who also under the umbrella of NZPI SIG brings together planning and environmental practitioners with a Pacific heritage or association. As a Pacific voice, Aotearoa Pacific Practitioners advocate the Pacific values of sustainable people, places and environments.

   As a collaborative approach, Papa Pounamu and Aotearoa Pacific Practitioners Group have prepared and utilised a shared spreadsheet with commentary from each entity, which is included in this submission. This submission acknowledges our Pacific Planning whanau and their submission contributions and commentary.

   With new policy, legislation and institutional arrangements to manage environmental taonga / natural resources in Aotearoa being established in partnership with Iwi / Māori, the time and need for this is greater now, and more relevant, than ever.

   The Māori economic landscape has changed considerably in the last decade and will continue to do so as more Iwi settle their treaty claims and their economic base grows. Also, Treaty settlements are seeing the emergence of new institutional arrangements, specifically co-governance, with co-management entities and joint management agreements being established to support decision makers and sharing duties and functions with local authorities in managing New Zealand's resources. Relationship and partnership agreements between organisations and Iwi are also increasing and becoming common practice[2].

SCOPE OF SUBMISSION

Papa Pounamu acknowledges that the Bill will replace the Resource Management Act 1991. We also acknowledge that the Bill is an exposure draft only, and therefore does

[1] Papa Pounamu website. Available at: https://www.papapounamu.org/
[2] Papa Pounamu Added Value Proposition

not include the entirety of the provisions. We recognise that only the front end of the legislation – including key provisions relating to its purpose, principles, Treaty provisions, and planning instruments – are included in this exposure draft.

We commend the novel process by which the Select Committee Inquiry is considering submissions on those provisions now, before the whole Bill is introduced into the House alongside the proposed Strategic Planning Bill and the Climate Change Adaptation Bill early next year. However, we also note that since the Bill contains only a selection of provisions, and the relationship with these provisions and others have yet to be drafted, it is difficult to provide a comprehensive submission on the provisions that have been included (especially in terms of their detailed drafting) without knowing how they will relate to ones that have not. For this reason, the positions expressed in this submission are provisional, based on the final contents of the full bill.

This submission includes high-level comments on critical factors regarding Māori values, rights, and interests that must be acknowledged and given effect in this Bill and wider reforms. These factors can guide the Committee in its ongoing development of the Bill.

Papa Pounamu includes more detailed comments on the provisions in the Bill, which are included within a spreadsheet (**attached)** with this submission. A summary of the submission is provided below in section 2, as well as critical matters that are not yet included in the Bill. Furthermore, Papa Pounamu has included current 'best practice' case studies and examples (**Appendix A** and **B**) that should be drawn on to inform ongoing development of the Bill.

2. This submission addresses:

   (a) acknowledgement of what Papa Pounamu sees as positive aspects of the Bill;

   (b) overarching comments on the Natural and Built Environments Bill and its development;

   (c) those matters that are included in the Bill; and

   (d) some critical matters that are not yet included in the Bill (and views on those matters),

      (i) high level comments on the Natural and Built Environments Bill and wider resource management reforms, regarding the Crown's obligation to uphold and "give effect" to Māori values, rights and interests; and

      (ii) current 'best practice' examples and models, in terms of co-governance and co-management, that should be considered and utilised to inform its drafting of the Bill and wider reforms.

3. We wish to make an oral submission in support of this written submission.

4. Papa Pounamu records the following overarching concerns with the Bill in its current form and the process for its development:

(a) The Bill needs to meet its stated aims:

The early indications from those driving the reform were that this reform was intended to be transformational. In addition, the Bill is intended to improve recognition of te ao Māori and give effect to Te Tiriti o Waitangi (which includes reference to Te Oranga o te Taiao in the purpose of the Bill).

It is critical that, in the next phase of policy development and drafting, the overarching aims and objectives for the reform are achieved (including, in particular, those expressly referred to in this submission).

(b) Failure to recognise iwi and hapū rights and interests in freshwater (and other taonga):

Papa Pounamu continues to be concerned at the lack of priority shown by successive Governments on the issue of recognising iwi rights and interests in freshwater (and other taonga). This Bill has the potential to continue and perpetuate that failure and undermine any future recognition of iwi rights and interests in freshwater. The development of this Bill further stresses the importance of the Government urgently prioritising the resolution of iwi rights and interests in freshwater.

The importance of ensuring Maori values, rights and interests in addition to iwi and hapū rights and interests in freshwater which are addressed, further at paragraphs [28] and [30].

(c) Treaty of Waitangi settlements must be upheld:

It is critical that redress provided under Treaty of Waitangi Settlements are upheld. Whilst the Accompanying Paper to the Exposure Draft notes that Treaty Settlements will be upheld, this will need to be carefully considered (and tested) through the rest of the policy development and legislative drafting phases.

(d) Negotiated agreements under the RMA (e.g. JMAs and Mana Whakahono ā Rohe) must also be upheld:

It is equally critical that arrangements under the RMA are also upheld (for example, JMAs entered into under the RMA that do not arise from Treaty settlements[3], Mana Whakahono ā Rohe[4] and section 33 RMA transfers[5]).

[3] There are currently JMAs under the RMA between Ngāti Tūwharetoa and Taupō District Council (2009) regarding consenting on Māori land and between Ngāti Porou and Gisborne District Council (2015) regarding decision-making in the Waiapu catchment.

[4] Being an iwi participation arrangement entered into under Part 5 Subpart 2 of the RMA.

[5] There is currently one transfer that has been made under section 33 of the RMA (being between Ngāti Tūwharetoa and Waikato Regional Council).

SUBMISSIONS ON MATTERS INCLUDED IN THE BILL

5. Papa Pounamu supports some key elements in the Bill which it submits, which must be maintained. In this respect, it is understood that many of these matters have been included in the Bill in their current form as result of the engagement of iwi technicians alongside Crown officials in the development of the Bill.

6. However, there is still a lot of work that needs to be done on the Bill (including further work on the policy to inform the legislative drafting). This process (i.e. the Exposure Draft process) provides an opportunity for early comment on those matters to ensure amendments can be made before the Bill is formally introduced into the House of Representatives.

Purpose (clause 4)

7. Papa Pounamu supports inclusion in the purpose clause to enable Te Oranga o Te Taiao to be upheld. We suggest the drafting be amended to require Te Oranga o Te Taiao to be upheld (rather than to enable it).

8. It is also important that Te Oranga o Te Taiao is able to be reflected regionally (rather than having a rigid definition that is at a National level).

9. It is also clear that further work is required to ensure that Te Oranga o te Taiao will be upheld across the entire system. Papa Pounamu expects that the legislative provisions within the Bill will provide the foundation for Te Oranga o te Taiao (in this context) and enable the relationship of iwi/hapū with Te Taiao and related tikanga to be recognised and upheld. In our view, the cumulative effect of these provisions – together with the provision requiring decision-makers under the Bill to give effect to principles of Te Tiriti – represents a significant step beyond the current position under the RMA. The retention of Te Oranga o Te Taiao within the purpose, and its implementation throughout Bill and subordinate instruments, is crucial to deliver transformational change.

10. There are a number of ways Te Oranga o Te Taiao could be upheld. However, there must be ongoing engagement on definitions of “kaitiakitanga” and “mātauranga” to ensure these are terms founded in and expressed through tikanga, and assist with furthering the purpose of the Bill to uphold Te Oranga o te Taiao. The term ‘iwi and hapū’ should be retained and used throughout the Bill and subordinate instruments.

11. It will also be important that the implementation of Te Oranga o te Taiao upholds its integrity and purpose, which is not only the well-being of the natural environment, its interconnectedness and life sustaining capacity but also the intrinsic relationship between iwi and hapū and te Taiao. For Te Oranga o te Taiao to be upheld, iwi and hapū must co-develop implementation processes, frameworks and plans with the Crown and Local Authorities.

12. Papa Pounamu is concerned that clause 5 (1) (b) refers only to the “use” of the environment in supporting the wellbeing of current generations without compromising the wellbeing of future generations. It is important to recognise that well being

encompasses both the use and the protection of the environment.

Te Tiriti o Waitangi (clause 6)

13. Papa Pounamu supports in part section 6 of the Bill that requires all persons exercising powers and performing functions and duties under the Bill to give effect to the principles of the Te Tiriti o Waitangi. We do not agree that the Bill '*give effect to the principles of Te Tiriti o Waitangi*'. We support the Bill to 'give effect to Te Tiriti o Waitangi'.

14. It will be important to ensure that this obligation is also given further expression through the Act. For example, by ensuring that there are appropriate mechanisms for iwi and hapū decision-making throughout the various processes in the Bill (some of which are yet to be developed). Examples of iwi and hapū decision making are:

(a) Te Poari o Kaipātiki ki Kaipara[6] - a co-governance entity that oversees Kaipātiki (formerly the Parakai Recreation Reserve). Ngā Maunga Whakahi o Kaipara is the single iwi involved in the co-governance board comprising of 3 iwi representatives and 3 Auckland Council elected members. The Chair is the iwi representative and the Deputy Chair is the Council representative. This is the decision making Board.

(b) Tupuna Maunga Authority[7] - a co-governance board comprising of six iwi reps and six Auckland Council elected members. The Chair is the iwi representative and the Deputy Chair is the Council representative. 12 members in total, with 1 Crown representative (DoC) as an observer. This is the decision making Board.

Environmental limits (clause 7)

15. The concept of environmental limits is likely to lead to better protection of the environment and its life sustaining capacity. However national level limits may lead to bottom lines (rather than ceilings) that are subject to political maneuvering and become the targets to which development aims. This must be avoided. In that regard, it is unclear what "limits" are intended to be set at a National level (aside from the guidance in the accompanying paper to the Exposure Draft). Environmental limits must also be set at a regional level in partnership with iwi and hapu utilising mātauranga Māori (for example, in relation to freshwater). These points need to be the subject of further consideration and policy development.

Environmental outcomes (clause 8)

16. The environmental outcomes expressed in the Bill need to be interpreted through the lens of Te Oranga o te Taiao (to require where outcomes may conflict, an approach or interpretation that enables Te Oranga o te Taiao is upheld).

[6] Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014. This comprises of 13 iwi groups in Tamaki Makaurau

[7] Ngāti Whātua o Kaipara Claims Settlement Act 2013

National planning framework (Part 3)

17. Whilst the concept of a National Planning Framework is reasonably necessary, the process to develop the content of the National Planning Framework is currently not clear. In that regard, Papa Pounamu considers the co-development of, and regional input into, a national direction setting framework is critical.

18. In addition, and relevant to the consideration of National level matters, Te Oranga o te Taiao me Te Mana o te Wai are able to act as korowai across the new system. Te Mana o te Wai must be retained and strengthened in the development of the new resource management system (including the setting of any National direction).

Governance – at a National and Regional level

19. Governance across any new system will be critical. It is accepted that there will be National level direction (primarily through the National planning framework). However, regional level limit setting and governance are also an essential part of the system.

20. At a National level, the following principles can be applied in relation to the governance of any new system:

    (a) A National Body to provide advice to the Minister for the Environment on National Direction (i.e. make recommendations on the National Planning Framework) and have a mandated oversight role in monitoring and compliance for National Direction matters **only.**

    (b) Convention that the Minister makes decisions in accordance with recommendations of the National Body.

    (c) A National Body does not usurp the mana of hapū and iwi in their respective rohe.

    (d) Membership of any National Body must reflect Treaty of Waitangi partnership and must be 50% Iwi and 50% Crown appointees:

        (i) Iwi appointments could be based on a Te Kawai Taumata type model and Crown appointments made by the Minister.

        (ii) Iwi appointees accountable to iwi and Crown appointees accountable to the Minister.

        (iii) Co-chair appointed by each partner.

    (e) A National Body can co-opt skill-based technical support where required (i.e. pūkenga, governance, science and mātauranga, legal, policy, etc).

    (f) Resourcing for operation of National Body must be provided by the Crown and include a dedicated secretariat (e.g. comprised of senior Crown officials and iwi/hapū technicians).

21. At a Regional level, the following principles can be applied in relation to the governance of any new system:

    (a) Mana motuhake o ia iwi, o ia iwi, i tā rātou rohe.

(b) Membership of Regional Governance Arrangements give effect to Treaty of Waitangi partnership and must be 50% Iwi appointees and 50% Local Authority and Crown appointees:

(i) Iwi appointments made by iwi and hapū and local authority and Crown appointments made by Local Authorities and the Minister respectively.

(ii) Iwi appointees accountable to iwi and hapū and Crown appointees accountable to Local Authorities.

(iii) Co-chairs appointed by each partner.

(c) Composition (i.e. number of members) of Regional Governance Arrangements should be designed to reflect Treaty of Waitangi settlement arrangements [where they exist], iwi and hapū rohe and Local Authority boundaries and to maintain operational effectiveness of governance arrangement (i.e. fit for purpose membership composition).[8]

(d) Roles of Regional Governance Arrangements to implement functions of Spatial Planning Act and National Built Environment Act including the co-design of:

(i) Mandatory environmental limits.

(ii) Regional Spatial Strategies.

(iii) National Built Environment Plans.

(e) Resourcing for Regional Governance Arrangements provided by Local Authorities/Crown and include secretariat (e.g. local authority and iwi/hapū technicians, co-opted skill-based technical appointments - tikanga Māori, science and mātauranga, planning and policy, legal etc).

(f) Scope of role for regional roles and functions will assist to guide the principles (i.e. limit setting at a catchment level).

22. Any policy objectives relating to governance, management and allocation must therefore reasonably include (alongside other policy parameters):

(a) giving effect to Te Tiriti;

(b) better reflecting a Te Ao Māori view (including by upholding/safeguarding both Te Oranga o te Taiao and Te Mana o te Wai); and

(c) addressing iwi/hapū rights and interests.

23. The process used to develop, and the content of, National Direction, Regional Spatial Strategies and National Built Environment Plans (see below) must be co-designed with iwi and hapū to ensure the integrity of Te Oranga o te Taiao is articulated and communicated by iwi and hapū, and not interpreted by Others i.e. Central government, Local Authorities, etc.

Natural and Built Environments Plans (Part 4)

24. The Governance principles set out above apply equally to the development and confirmation of the proposed National and Built Environment Plans. The composition

[8] **Note**: the 50% Local Authority and Crown composition may shift depending on the role of the Regional Governance Arrangement.

of proposed Planning Committees, whose primary function will be to make decisions on and maintain National and Built Environment Plans, should be designed to reflect Treaty of Waitangi settlement arrangements [where they exist], iwi and hapū rohe and Local Authority boundaries.

25. The purpose of National and Built Environment Plans (clause 20) should be to achieve the purpose of the Act, provide a framework for the integrated management of the region that the plan relates to, and include provisions to resolve conflict between environmental outcomes.

26. Papa Pounamu considers the clauses relating to the content and consideration of plans are incomplete and need to be the subject of more detailed policy development. Where they exist, environmental/iwi management plans prepared by iwi and hapū must be given effect by planning committees in the design of content for National and Built Environment Plans.

SUBMISSIONS ON MATTERS THAT ARE NOT INCLUDED IN THE BILL

27. There are a number of matters that will ultimately be included in the National and Built Environments Act, but are not in the Bill. The submissions below address the key matter for Papa Pounamu.

Critical Factors Maori values, rights and interests

28. There are critical factors regarding Māori values, rights, and interests that were not given sufficient consideration in previous resource management policy and legislation. The Crown and the development of resource management policy and legislation over time systematically marginalised and subordinated Māori culture, values, beliefs, and practices, and simultaneously empowered and 'legitimised' the Crown position, control, 'western' culture and ways of governing and managing resources. The current Government has the opportunity to ensure this new Bill and wider reforms are Te Tiriti o Waitangi compliant.

29. Papa Pounamu recommends the Select Committee takes the six factors (tabulated below) into account and, through appropriate acknowledgement and understanding, ensure the drafting of new legislation prioritises and upholds Maori values, rights and interests, and honours the Treaty of Waitangi / Te Tiriti o Waitangi 1840, and the Crown sovereign partners (Iwi and hapū of Aotearoa).

#	CRITICAL FACTOR	CONTEXT
1	Māori rights and interests in resource governance and management are guaranteed through various mechanisms. There is no legitimate reason for the Crown not to uphold and give effect to those rights and interests.	Mechanisms include: ● United Nations Declaration of the Rights of Indigenous Peoples; ● He Whakaputanga o Niu Tīreni 1835: and ● Te Tiriti o Waitangi 1840. Arguments and evidence supporting this factor can be found in numerous sources, including a multitude of evidence and reports by the Waitangi Tribunal.

2	Māori values, rights and interests are illegitimately relegated to 'aspirations' rather than upheld and given effect as Indigenous 'rights' in policy and legislation.	Māori values, rights and interests are continually ignored, overlooked, or strategically dismissed by the Crown and Crown agencies through resource management policy, legislation and in practice.
3	Tikanga is the first law of Aotearoa[9]. The efficacy of this system was ensured through the exercise of rangatiratanga; 'a total political authority' Te Tiriti o Waitangi reaffirms rangatiratanga (supreme authority) of the Māori signatories, thus reaffirming the status of tikanga Māori as supreme law in Aotearoa.	Crown obligations to uphold and enable rangatiratanga rights (Article II), and subsequent law and regulation by tikanga Māori, have not been upheld. This must first be accepted, and then all other law must be negotiated with reference to tikanga (Mikaere 2007).
4	'Treaty principles' rather than 'Te Tiriti o Waitangi' weaken Māori values, rights and interests. This creates a false 'legitimisation' of Crown control, power and law over Māori rangatiratanga and tikanga.	Engagement with 'Treaty principles' is collaboration in the judicial rewriting of Te Tiriti o Waitangi. They have become a 'ruse to deny Te Tiriti'.
5	The RMA provisions for Māori are ineffective. The application of Māori provisions lacks certainty for Māori value, rights and interests, and the environment. These can be (and frequently are) compromised for economic and commercial interests (Durie. M, 2020).	Under the RMA there are provisions for co-governance, joint management, and transfer of powers from local government authorities to mana whenua, but none are mandatory, and all can be compromised.
6	The Crown has shown capacity for legislating Māori terms, concepts and tikanga in somewhat meaningful ways (Ruru, 2018), however this has been done on an adhoc basis, to limited extents.	Legislation has empowered and enabled individual Treaty settlements (to limited extents) through specific agreements with iwi and hapū. Notable examples regarding natural resources are: ● Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 giving effect to the iwi vision and strategy for the river; and ● Te Urewera Act (2014) and Te Awa Tupua (Whanganui River Claims Settlement) Act (2017), recognise whenua and wai (waterscapes) have agency as ancestors through the construct of legal personhood and rights (Ruru 2018). Settlements do not equally empower all iwi and hapū – and do no more than provide some Māori with the rights and interests that all iwi and hapū are entitled to.

Recognition of hapū/iwi rights and interests in freshwater

30. The recognition of freshwater rights and interests of iwi and hapū must not be negatively affected through the ultimate design of the Act. Currently, the Bill does not provide for the recognition of iwi/hapū rights and interests. The select committee must ensure that the next steps for the Bill do not preclude future recognition of rights and interests.

31. Addressing rights and interests in freshwater covers the areas of governance, management and allocation. In that regard, Te Mana o te Wai and Ngā Mātāpono ki te Wai can guide the consideration of these matters. These frameworks ensure that

[9] (Mikaere, 2007; Williams 2013; Jones, 2014)

the mana of freshwater is upheld while also recognising and providing for the full expression of iwi/hapū rights and interests in freshwater.

32. The freshwater rights and interests of iwi and hapū are substantive, not merely procedural or participatory. They include decision making on upholding the quality of the wai and an equitable, fair and permanent share of access to water take and discharge entitlements for iwi/hapū (separate from, and in addition to, any policy initiatives for developing Māori land).

33. Any policy objectives relating to freshwater governance, management and allocation must therefore reasonably include (alongside other policy parameters):

    (a) giving effect to the principles of Te Tiriti;

    (b) better reflecting a Te Ao Māori view (including by upholding both Te Mana o te Wai and Te Oranga o te Taiao); and

    (c) addressing iwi/hapū rights and interests.

34. Iwi and hapū rights in freshwater must be addressed as a matter of priority and the Bill must not restrict options for recognition.

Observation of Limitations

35. Further summarised (table below) are limitations in the Exposure draft bill regarding giving effect to Māori values, rights and interests, which we recommend the Select Committee acknowledges and addresses, and they are amended in the Bill.

36. The common thread to the limitations is that they subtly but strategically reconstitute the same breaches of Te Tiriti o Waitangi. This has been highlighted as a cautionary measure for the Select Committee, to assist the ongoing development of the Bill.

37. Papa Pounamu sees the valuable opportunity for the Crown and its partners to ensure an appropriate restructure and institutional reform that will empower rangatiratanga and self-determination rights, whānau, hapū, and iwi leadership and decision making at spatially appropriate scales, mana to mana (including national and localised rohe or uri scales). Refer to **Appendix A** for key shifts and evidence that supports a transition to multi-scalar, integrated, holistic governance and management that is attentive to local uri, communities and ecosystem contexts.

38. We caution that the Select Committee does not create a license for non-Maori to co-opt, assimilate and take ownership of Māori ways of knowing and being as their own (i.e., through legislative constructs such as Te Mana o Te Wai - in the absence of necessary empowerment of rangatiratanga and tikanga Māori). There needs to be a clear mandate and structure(s) at the multiple scales required for Māori leadership and decision making. Regional authorities, tribal authorities and the public need clear implementation pathways for “giving effect” to Te Oranga o te Taiao, and critical certainty provided for tangata whenua to be the ones who “give effect” to Te Oranga o te Taiao as is appropriate and necessary within a cultural and tikanga context.

39. What is essential is that this Bill and wider reform is used to (re)create space for authentic Māori governance (rangatiratanga) and management, and that Māori ways of knowing and being are enabled, empowered, and normalised (by, for, and with Māori).

These reforms must ensure acknowledgment, respect, and support for the roles and responsibilities of iwi and hapū. It must not be another failed 'attempt'of Māori provisions in sections 6, 7 and 8 of the RMA.

40. In order to be brave and bold, or simply be Te Tiriti-compliant, the devil will be in the detail. While this Exposure Draft includes some of that, it does not currently meet its stated aims of Te Tiriti obligations with respect to iwi and hapū. More specific comments are provided, and current 'best practice' models and examples have been described to help inform and guide further development of the Bill (**Appendix B**).

41. Unfortunately, the current drafted provisions mirror the Crown approach to Treaty settlements and other legislation which becomes concerned with legislative constructs that reflect some Māori values and interests (such as the mana of natural resources) but retain and re-'legitimise' Crown power and control. Experience shows that in situations where iwi and hapū strongly oppose a resource management activity that the Crown and or wealthy corporations support, they are left with the ability to "oppose something in principle" (recognising their cultural principles, values and mana) but still forced to compromise those principles and their Maori values, rights and interests as the activity continues to go ahead (possibly with a few extra cultural 'mitigation' provisions thrown in). Current drafting of the Bill does not provide confidence that this issue will be resolved through this legislation; it seems more likely to be perpetuated.

#	KEY LIMITATION	CONTEXT
1	Like the National Policy Statement for Freshwater Management 2020, and the Aotearoa New Zealand Biodiversity Strategy 2020, the Exposure draft Bill disassociates Māori terms and concepts from wider Te Ao Māori context, particularly tikanga which is both inappropriate and undermines Māori values, rights and interests.	Specifying and isolating terms and concepts and applying them to some resources and/or conditions, limits and controls the extent to which te Ao Māori can be given effect overall. This simultaneously reaffirms Crown (assumed) control and authority. An appropriate approach to demonstrate Crown intentions are authentic and genuine, would be to give recognition and effect to the holistic nature of the Māori worldview and enable iwi and hapū to determine appropriate terms, concepts and conditions for application. For example, recognition of whakapapa connections between specific iwi and hapū and their tupuna i.e., Te Awa Tupua (Whanganui River). The same approach and provision should be extended and applied to all iwi and hapū whakapapa connections within Te Ao Mārama. We commend the Government for making progress in this space, although we caution against the use of Māori terms and concepts if done inappropriately, because it puts them at risk of misinterpretation, misuse, co-option, assimilation, and ongoing environmental and indigenous injustices.

2	"Giving effect" to the mana of an environmental 'resource' on its own, does not 'give effect' to the mana of tangata whenua (past, present or future). Nor does it rectify Crown failures to uphold Māori rights to rangatiratanga and self-determination.	The Crown created policy and legislation that "give effect" to freshwater or other environmental 'resources. This demonstrates capacity (albeit limited) to recognise Māori views and concepts, but it does not rectify and "give effect" to Māori rangatiratanga rights, needed to practice tikanga which is required for correct implementation and application of those concepts, for those resources. In other words, the Crown has empowered the 'resource' to some degree recognising its mana but has failed to empower rangatiratanga or Māori sovereignty and self-determination rights and recognise mana tangata. This is considered (yet) another indigenous injustice masked as 'empowerment'.
3	The 'transformative' changes posed in recent and pending environmental policy and legislation that should enable and empower Maori rights and interests, lack the fundamental institutional and systemic changes required to enact such change.	There is no clear mandate or structure(s) at the multiple scales required for Māori leadership and decision making. No clear implementation pathways to "give effect" to Te Mana o Te Wai or Te Oranga o te Taiao. There is no certainty that tangata whenua will be the ones who "give effect" to Te Mana o Te Wai or Te Oranga o te Taiao, as is appropriate and necessary within a cultural and tikanga context.

Consenting

42. Consenting is not addressed in the Exposure Draft.

43. Papa Pounamu understands the current focus of the Ministry for the Environment work is to focus on the plans and limits, thereby reducing the need for permits to be as onerous as they currently are. Caution needs to be applied to any assumption that the proposed plans will be able to fix all issues currently being experienced under the RMA (as the RMA plans have not done that).

44. Papa Pounamu recommends that provisions in the new legislation to enable better allocation through the review of consents, and discontinuation of activities contrary to or not permitted by provisions in the National Planning Framework or Natural and Built Environment Plans, should be strengthened.

The Strategic Planning Act

45. Improving how we plan for future growth and development within agreed environmental limits is a fundamental plank of the reforms. While the details of the Strategic Planning Act are still to be developed and agreed by Ministers, the purpose is to set long-term (i.e. 30-year) outcomes and objectives for a spatial area (i.e. a region) and to integrate resource management planning, infrastructure provision and investment decisions.

46. Papa Pounamu understands that Regional Spatial Strategies are likely to precede any process to develop National and Built Environment Plans and would likely 'set the scene' for how natural resources (i.e. wai, whenua, etc) are utilised. Papa Pounamu are mindful there are overlaps with the way natural resources are protected (or restored) and allocated within environmental limits.

47. Iwi and hapū must be engaged at an early stage in any spatial planning process that is employed to develop Regional Spatial Strategies. Papa Pounamu suggest

opportunities to signal the development of Māori land through Regional Spatial Strategies which could be the subject of further submissions.

48. Papa Pounamu intends to make a submission on the Strategic Planning Bill when it is introduced.

The Climate Adaption Act

49. There is currently very little visibility over the Climate Adaption Act.

50. It is important that the various reform programmes are connected and progressing in tandem.

51. Papa Pounamu intends to make a submission on the Climate Adaption Bill when it is introduced.

Other related reform processes

52. There are currently a range of interconnected reform processes underway (including the Three Waters Review and those other Bills that will be introduced as a part of this reform package).

53. These strands of reform are connected and there needs to be cohesion. In our view, the development of the various strands of reform is currently siloed. The Ministry for the Environment must show leadership and ensure that the dots are joining up across the various parts of the reform.

Transitional arrangements

54. Transition arrangements are currently unclear. This should be highlighted.

55. Specifically in relation to the National Policy Statement on Freshwater Management and Urban Development, it will be important to ensure that the work undertaken by iwi to date on Te Mana o Te Wai within the National Policy Statement for Freshwater Management must not be derogated from through any new system (if those arrangements have been developed with iwi).

Other Matters

Iwi Management Plans

- Iwi Management Plans are not included within the exposure draft Bill. Environmental/Iwi Management Plans are significant documents that iwi have developed and approved by iwi to address matters of resource management activity of significance within their respective rohe. These documents strengthen their role and purpose for iwi to communicate their Te Taiao outcomes.

Mana Whakahono a Rohe and Section 33 Transfer of Powers

- There is continued support for the RMA instruments *'Mana Whakahono a Rohe*' and '*Section 33 Transfer of Powers',* in the RM reforms. How will these instruments be available in the Exposure draft bill as these are an opportunity for an iwi and hapū to give voice to their outcomes within their respective rohe.

Conclusion

The exposure draft is a new and ambitious piece of legislation, there are many matters that require improvements, not the least Māori values, rights and interest.

There will also be a number of critical factors that will only become apparent when the Natural and Built Environment Bill as a whole, and the Strategic Planning Bill, are drafted.

Overall, Papa Pounamu and Aotearoa Pacific Practitioner Group thank the Select Committee for the opportunity to submit on the Bill, and Papa Pounamu request to be heard in support.

APPENDIX A

Shifts and evidence supporting a transition to multi-scalar, integrated, holistic governance and management that is attentive to local Uri, communities and ecosystem contexts.

APPENDIX A

Shifts and evidence supporting a transition to multi-scalar, integrated, holistic governance and management that is attentive to local Uri, communities and ecosystem contexts.

Puao-te-ata-tu

- 33 years ago 'Puao-te-ata-tu' ('day break') the report of the ministerial advisory committee on a Māori perspective for the Department of Social Welfare (which included housing, health and education), found the relationship between the state and Māori communities to be 'one of crisis proportions' and the Department to be a 'highly centralised bureaucracy insensitive to the needs of many of its clients' (Garlick, 2012). The report recommended that the government adopt a bicultural approach to policy formulation and incorporate the 'values, cultures and beliefs' of Māori in the formulation of legislation, programmes and services. This recommendation remains unrealised.

Maori Health Reform

- Renowned Māori health and wellbeing expert Mason Durie emphasised similar issues and made similar recommendations (Key-Note speech – Future of Māori Health Forum, 30/11/2020). Durie recognised "*a failure of local authorities to make a clear decision that will protect the environment. Economic growth seems to have outweighed protection of the environment and protection of the land*" and similarly recommended empowering of Māori authority and decision-making through appropriate bodies at different scales.

  Durie argued that critical to achieving positive outcomes for Māori health and wellbeing are the reclamation and protection of land which includes realising Papa Kainga for whānau; replanting indigenous flora and restoring our rivers and other waterways to a level where we are reducing air pollution; establishment of an overarching Māori governance authority for the environment with responsibility for funding and supporting Kaupapa Māori organisations and negotiating arrangements with government that endorse Mana Motuhake; and enabling our whanau to be able to stand tall as Māori, on the marae, on our lands – as matua, koroua, rangatahi, mokopuna – to stand tall in every situation that they might be in.

  Durie further envisioned that in 2022 "the shift of responsibility from government to Māori had allowed for greater innovation and holistic approaches to whanau development and closer links between funders and providers".

Recent shifts towards empowerment of mana whenua and TIriti-based models, include:

Health Sector:

Disestablishment of District Health Boards being replaced with a single national health body and a new Māori Health authority that will provide an independent voice to change Māori health outcomes in Aotearoa. The authority will have the power to commission health services, monitor Māori health, and make joint decisions on national strategies, policies and plans that affect Māori at <u>all levels of the system.</u>

Housing Sector:

Ministry of Housing and Urban Development, Te Kāhui Kāinga Ora – a dedicated Māori housing group. A new, collaborative approach has led to developing the MAIHI - Framework for Action and the MAIHI Partnerships Programme, which include: Ministry for Housing and Urban Development, Kainga Ora and Te Puni Kokiri.

Environmental Sector:

RMA reforms

The Randerson Panel Report included recommendations for (full list in **Appendix B**):

- A major shift from managing environmental effects to achieving positive outcomes.
- Creating a new Strategic Planning Act, requiring the preparation of regional spatial strategies (RSS) which set long-term (at least 30 years) objectives for urban growth and land-use change, responding to climate change, and identifying areas in which development is inappropriate, encompassing both land and the coastal marine area.

These strategies would align functions across other statutes, including the new Natural and Built Environments Act, the Local Government Act, the Land Transport Management Act and the Climate Change Response Act. The Regional Spatial Strategy will be prepared and approved by joint committees, comprising representatives of central government, the regional council, all constituent local authorities in the region, mana whenua and an independent chair. The Regional Spatial Strategy should be consistent with national direction under the Natural and Built Environment Act and all planning and funding plans (including those prepared under the NBEA) should be consistent with the Regional Spatial Strategy.

Three Waters Reforms:

Implementation of a complex set of reforms via a 3-year staged approach.

- Stage 3 – establish new ‘water services entities’, requiring councils transfer their water infrastructure and delivery services to a small number of multi-regional entities. A small number of entities covering a larger area of population will mean smaller communities could realise the benefits of scale, and that the larger entities would have a big enough asset base to be able to borrow to scale.

- **Entity Ownership Models:** There will be a bottom line of public ownership + mechanisms to ensure the entities cannot be privatised in the future. Government will also consider options for Crown and iwi/Māori interests in the new water services entities.

- **Entity Governance Models:** Water services entities would be overseen by a board of directors. Various structures for governance are being explored, including co-governance with mana whenua, and mechanisms to enable mana whenua entities in an area covered by the Water Services Entity to directly influence outcomes, and be resourced to do so + obligation requiring anyone who has functions or duties under the legislation to give effect to Te Mana o te Wai (Clause 14 of the Water Services Bill). Te Mana o te Wai is described by Minister Mahuta as a whole-of-system approach to the management of our water that recognises the Maori worldview and knowledge.

*Fisheries Reform*s:

Commercial Fisheries – The Future of Commercial Fishing in Aotearoa NZ Report – released by the Office of the Prime Minister Chief Science Advisory included Recommendations:

- *Theme 6: An ecosystem approach to fisheries management (EAFM) is embraced within the current regulatory framework, including the Fisheries Act 1996*

  Within the current regulatory framework, transition Aotearoa New Zealand's fisheries management system to an ecosystem approach through supporting and resourcing the expansion and uptake of wider ecosystem monitoring and driving a shift towards more ecosystem-friendly fishing methods. In the longer term, the Oceans Strategic Action Plan should facilitate and define a shared understanding of what an ecosystem approach to fisheries might encompass and what this approach aims to achieve within the context of Aotearoa New Zealand's fisheries management (see Theme 2).

- *Theme 3: Te ao Māori | A connected worldview in 2040 and beyond*

  Building on the other themes, acknowledge that successful application of an ecosystem approach to fisheries management must take a holistic, long-term approach that considers future generations.

  Explicitly address cumulative effects and the interconnected nature of ecosystems and mitigate other stressors on fisheries, beyond commercial fishing including:

  1. Land-based impacts, especially sediment from forestry and land-use changes
  2. Climate change
  3. Plastics
  4. Disease and invasive species
  5. Recreational fishing
  6. Aquaculture
  7. Population pressure and growing population
  8. Mining and the energy sector.

  Recreational Fisheries – LegaSea (as one representative group for recreational fishers) has proposed an alternative fisheries management system called "Rescue Fish". This proposal is multi-scalar and includes structural and institutional changes at the national level, as well as local level – all of which would be governed under a co-governance framework, tailored to local contexts (e.g. regional or rohe based criteria and management rules etc. whereby there could be variation between different locations, relevant to the state of that ecosystem and the wants and needs of those iwi/hapu, communities and other stakeholders).

Biodiversity Strategy:

Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020

A national strategy providing the overall strategic direction for biodiversity for the next 30 years. It is closely connected to and guides local and regional biodiversity action. The causes of biodiversity loss vary from place to place, depending on the natural environment and how natural resources are being managed and used. Therefore, different solutions will

be needed depending on the situation, location and context. Although our collective actions as a nation will be contributing to the same vision and outcomes, the way in which this is achieved may look different across places and regions – and this will be one of the keys to our success.

Outcome 1 Ecosystems, from mountain tops to ocean depths, are thriving.

Ø The mauri of ecosystems is thriving

Ø A full range of indigenous ecosystems are protected and secured for future generations

Ø The health, integrity and connectivity of ecosystems have been maintained and/or restored, including in human-dominated areas

Outcome 4 Treaty partners, whānau, hapū and iwi are exercising their full role as rangatira and kaitiaki.

Ø Resilient biodiversity enables cultural practices and mahinga kai, contributing to the regeneration of mātauranga Māori

Ø Restored nature uplifts mana

Ø Treaty partners, whānau, hapū, iwi and Māori organisations are central to the biodiversity system and recognised as leaders

Tikapa Moana, Tai Timu Tai Pari – Sea Change, Marine Spatial Plan, and 'Revitalising the Gulf'

Revitalising the Gulf is the Government's strategy in response to Tai Timu Tai Pari. Building on the work already underway with the Department of Conservation, Ministry for Primary Industries, Fisheries New Zealand, will implement the Strategy's actions.

The Strategy's proposals reflect the Government's analysis of the 2017 Sea Change Plan recommendations, relating to marine conservation and fisheries management. They have incorporated feedback from mana whenua, implementation partners, and key stakeholders. Throughout the Strategy's development, an independent Sea Change Tai Timu Tai Pari Ministerial Advisory Committee provided feedback and advice to Ministers, MPI/FNZ and DOC.

Plan for Action: The Strategy sets out actions Government will take to restore the health and mauri of the Gulf, guided by two overarching outcomes:

a. effective **kaitiakitanga** and guardianship in the Gulf, and
b. healthy functioning **ecosystems** that:
   - ❖ underpin the wellbeing and prosperity of people who live, work and play in the Gulf
   - ❖ sustain healthy fisheries that replenish and enhance the pātaka kai (food basket) for customary, recreational and commercial uses
   - ❖ regulate, support and sustain the Gulf, and
   - ❖ support resilient and diverse habitats and marine life.

The Strategy drives change with multiple integrated actions. Government is committed to delivering:

- increased marine protection to allow the recovery of some of the most biodiverse regions in the Gulf
- NZ's first area-based fisheries plan tailored to the unique needs of the Gulf
- wider seabed habitat protection by restricting trawling and other fishing methods
- increased shellfish abundance through harvesting restrictions and catch limits
- an expanded programme of protected species management
- a habitat restoration guide to better direct habitat restoration resources and initiatives
- increased participation of mana whenua and stakeholders in local fisheries management decisions
- Government supported mana whenua and local community projects to achieve local aspirations for nearshore environments **(Ahu Moana)**
- a prosperous, sustainable aquaculture industry and aligned biosecurity programmes.

The Strategy's actions will be supported by a research, monitoring and reporting programme, to track implementation and effectiveness of actions, and drive a flexible adaptive management approach to deliver the best results for the Gulf.

APPENDIX B

Key recommendations made by the Randerson Panel (summarised by Environmental Defence Society, July 2020)

Appendix B:

Key recommendations made by the Randerson Panel (summarised by Environmental Defence Society, July 2020):

- Repealing the RMA
- Replacing it with a Natural and Built Environments Act with a revised purpose and principles.
- A major shift from managing environmental effects to achieving positive outcomes.
- Creating a new Strategic Planning Act, requiring the preparation of regional spatial strategies encompassing both land and the coastal marine area. These strategies would align functions across other statutes, including the new Natural and Built Environments Act, the Local Government Act, the Land Transport Management Act and the Climate Change Response Act.
- Enacting a dedicated Managed Retreat and Climate Change Adaptation Act, which would provide for managed retreat and for the establishment of a climate change adaptation fund.
- Requiring decision-makers to give effect to the principles of Te Tiriti o Waitangi, and incorporating the overarching concept of Te Mana O Te Taiao in the purpose statement of the new Natural and Built Environments Act.
- Establishing a National Māori Advisory Board to monitor the performance of central and local government in giving effect to Te Tiriti and providing for an integrated partnership process between mana whenua and councils.
- Requiring national direction to be made on a range of core matters and combining this into a coherent suite of instruments that clearly resolve conflicts and relationships between them.
- Requiring the establishment of environmental bottom lines and targets.
- Reformulating existing RMA plans into combined regional plans, reducing the 100 or so plans we have now to just 14.
- Reforming the planning process, including the establishment of joint planning committees comprising regional council, territorial authority and mana whenua representatives.
- Requiring an audit of plans by the Ministry for the Environment before they are notified.
- Altering how the notification framework operates, including removing the “no more than minor” threshold for notification of consents.
- Removing non-complying activity status.
- Providing an alternative dispute resolution pathway for minor matters.
- Strengthening the overall role of the Environment Court.
- Strengthening the framework for water conservation orders.
- Providing more flexibility to review existing resource consents.
- Providing for greater use of economic instruments to drive behaviour change.
- Establishing a nationally coordinated environmental monitoring system.
- Expanding the role of the Parliamentary Commissioner for the Environment to provide a stronger auditing and oversight role of the resource management system.
- Establishment of regional hubs for compliance, monitoring and enforcement.
- Strengthening offences and penalties for non-compliance.

SUBMISSION SPREADSHEET

Papa Pounamu
and
Aotearoa Pacific Practitioners Group

Natural and Built Environment
Exposure Draft
Submission to the Select Committee

NATURAL AND BUILT ENVIRONMENT BILL
DRAFT EXPOSURE JULY 2021

Papa Pounamu (Special Interest Group) Te Kokiringa Taumata (NZPI) | **Aotearoa Pacifica Practitioners Group (APPG)**

The following provides a break down of the sections in the draft NABE bill. Papa Pounamu position (Support / support in part / oppose). Papa Pounamu commentary provides the feedback / comment from Papa Pounamu. It is noted the bill has limited details and the approach taken by Papa Pounamu is to provide Comment, Feedback, and provide Input with solutions such as case study examples.

NABE Bill page no.	NABE Section / Clause	NABE Legislation wording	Support / Support In Part / Oppose	Papa Pounamu commentary	Support / Support in Part / Oppose	Aotearoa Pacifica Practitioners Group (APPG)
Part 1 Preliminary provisions						
Section 3 Interpretation						
3		**environment** means, as the context requires,— (a) the natural environment: (b) people and communities and the built environment that they create: (c) the social, economic, and cultural conditions that affect the matters stated in **paragraphs (a) and (b)** or that are affected by those matters	support	MIssing definition of Cultural landscapes 1. S8(h) refers to cultural landscapes but not a defined term which makes it difficult to explain to practitioners through Te ao Māori 2. Māori cultural heritage, including landscapes, have a particular meaning and assuming legal status in other acts incorporate this As above, totally western view of the world, the Crown says this legislation will give effect to the Treaty, then proceed with a western framework with some Maori bits added.		
4		**mitigate**, in the phrase "avoid, remedy, or mitigate", includes to offset or provide compensation if that is enabled— (a) by a provision in the national planning framework or in a plan; or (b) as a consent condition proposed by the applicant for the consent	support in part	if mitigate is being defined, then it would be consistent to define avoid & remedy as well		
4		**natural environment** means - (a) the resources of land, water, air, soil, minerals, energy, and all forms of plants, animals, and other living organisms (whether native to New Zealand or introduced) and their habitats; and (b) ecosystems and their constituent parts	support			
5		**precautionary approach** is an approach that, in order to protect the natural environment if there are threats of serious or irreversible harm to the environment, favours taking action to prevent those adverse effects rather than postponing action on the ground that there is a lack of full scientific certainty	support	Need to address 'not taking action' as well.		
6		**te Tiriti o Waitangi** has the same meaning as Treaty in section 2 of the Treaty of Waitangi Act 1975.	Oppose	Te Tiriti o Waitangi is not the same as the Treaty of Waitangi; they are both different. Oppose referencing as a definition 'Te Tiriti o Waitangi ' to ToW 1975 Act, s2 Treaty. This is not appropriate.		
		Additional definitions:				
		natural wetland	Additional definition	Insert definition for wetland: as defined in the RMA 1991 s2. This mirrors the NPS FW reference to natural wetland.		
		Promote	Additional definition	The context of the word 'promote' in the following sections of the bill imply different meanings: i.e. - s5(2) Purpose of the Act 'promote' implies encourage or support; and - s8 Environmental outcomes 'promote' implies give effect to. This results in 'promote' being open for interpretation and uncertainty.		
Part 2 Purpose and related provisions						
Section 5 Purpose of the Act						
6	**s5(1)**	(1) The purpose of this Act is to enable— (a) Te Oranga o te Taiao to be upheld, including by protecting and enhancing the natural environment; and (b) people and communities to use the environment in a way that supports the well-being of present generations without compromising the wellbeing of future generations.	Support in part	clause (1) the prupose of this Act is to 'require' change out word 'enable' and insert word 'require'. It is also important Te Oranga o Te Taiao is reflected regionally (rather than have a rigid definition that is at a National level). clause (a) Agree with this statement, as this supports hapu/whanau outcomes for Te Taiao. clause (b) Disagree with the word 'use'. Alternative wording '..... *communities to* 'engage with and the protection of' *the environment in a way....*', is more appropriate.		The use of different terms for 'natural environment', 'urban form' (which makes up an undefined 'urban area'), and just 'environment' which as the context requires can include both the natural environment and/or the undefined 'built environment' creates challenges for interpretation of how to apply s5 and s8. For example s5(1)(b) applied to either an infill situation or an urban greenfield example or s5(2)(c) where for say infill housing how do you achieve a purpose of avoid, remedy or mitigate effects on the (urban) environment of the use of the urban environment?
	s5(2)	(2) To achieve the purpose of the Act,— (a) use of the environment must comply with environmental limits; and (b) outcomes for the benefit of the environment must be promoted; and (c) any adverse effects on the environment of its use must be avoided, remedied, or mitigated.	Support in part	clause (a): Include wording '*… must comply with* and aim to improve upon *the environmental limits*'; and clause (b): wording '*promote*' needs a definition. see additional definition above. clause (c): Align to the point above regarding the word 'use'. Align to the point above regarding the word 'mitigated'. Add wording that infers a heirarchy within s5(2)(c)?		The use of different terms for 'natural environment', 'urban form' (which makes up an undefined 'urban area'), and just 'environment' which as the context requires can include both the natural environment and/or the undefined 'built environment' creates challenges for interpretation of how to apply s5 and s8. For example s5(1)(b) applied to either an infill situation or an urban greenfield example or s5(2)(c) where for say infill housing how do you achieve a purpose of avoid, remedy or mitigate effects on the (urban) environment of the use of the urban environment?
	s5(3)	In this section, **Te Oranga o te Taiao** incorporates— (a) the health of the natural environment; and (b) the intrinsic relationship between iwi and hapū and te taiao; and (c) the interconnectedness of all parts of the natural environment; and (d) the essential relationship between the health of the natural environment and its capacity to sustain all life.	Support	Support they ability to set further limits if this is consdered useful in a place-based context		
Section 6 Te Tiriti o Waitangi						
7	**S6**	**Te Tiriti o Waitangi** All persons exercising powers and performing functions and duties under this Act must give effect to the principles of te Tiriti o Waitangi.	support in part	Support 'must give effect to te Tiriti o Waitangi'. Do not support the statement 'must give effect to the principles of te Tiriti o Waitangi'. Amend s6: remove '*to the principles of*'. Hapu and whanau signed up to te Tiriti o Waitangi, not to the principles which have evolved out of case law. The principles can be considered/included at the NPF level, or NABE Plans level, when the framework and plans are developed in partnership with mana whenua.	Support in part	Reinforce and simplify relationship between Treaty and the resource management framework, and local governments responsibilities in this. Proposed mechanism is through an agreement between the Crown, Māori and local government. -Developing and resourcing application of various management arrangements (e.g. co-
Section 7 Environmental limits						
7	**S7(1)**	(1) The purpose of environmental limits is to protect either or both of the following: (a) the ecological integrity of the natural environment: (b) human health.	support in part	include a **(1)(c) "intergenerational equity"** to be consistent with the proposed Purpose of the Act. There should be a hierarchy so human health cannot come at expense of ecological integrity.	Support in part	Add more details around social equity/impacts into human health definition or its own seperate definition Need to think about development as in natural and built environment but also the social enviironment that these activities/development may not be favourable (liqour stores, TAB etc)or a need of basic infrastrcuture to support our communtiies (zoning etc). Ecological integrity being protected, restored and enhanced (s7) - when applying to plans will be very difficult to define and there is no specific direction provided on whether it is in respect of all ecosystems or somehow some ecosystems will be valued in respect of the outcome (e.g. you can have ecosystems which include weed species but there does not appear to be any qualification of this in the all-encompassing term of 'ecological integrity' which is just the functioning of ecosystems (where indigenous vegetation and habitats are qualified to being significant)
7	**s7(2)**	(2) Environmental limits must be prescribed— (a) in the national planning framework (see **section 12**); or (b) in plans, as prescribed in the national planning framework (see **section 25**).	support	Support the ability for limits to be set regionally or locally through NPF-enabled planning documents in partnership with mana whenua.	Support in part	
7	**s7(3)**	(3) Environmental limits may be formulated as— (a) the minimum biophysical state of the natural environment or of a specified part of that environment: (b) the maximum amount of harm or stress that may be permitted on the natural environment or on a specified part of that environment.	support in part	permitted' implies a permitted activity. identify an alternative word.		
7	**s7(4)**	(4) Environmental limits must be prescribed for the following matters: (a) air: (b) biodiversity, habitats, and ecosystems: (c) coastal waters: (d) estuaries: (e) freshwater: (f) soil.	support	include: **(g) 'Mahinga kai'**.		

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NABE Bill page no.	NABE Section / Clause	NABE Legislation wording	Support / Support In Part / Oppose	Papa Pounamu commentary	Support / Support in Part / Oppose	Aotearoa Pacifica Practitioners Group (APPG)
7	**s7(5)**	(5) Environmental limits may also be prescribed for any other matter that accords with the purpose of the limits set out in **subsection (1)**.	Support			
7	**s7(6)**	(6) All persons using, protecting, or enhancing the environment must comply with environmental limits.	Support			
7	**s7(7)**	7) In **subsection (3)(a)**, **biophysical** means biotic or abiotic physical features.				
Section 8 Environmental outcomes						
7	**s8**	To assist in achieving the purpose of the Act, the national planning framework and all plans must promote the following environmental outcomes:	support in part	Suggest reorder of Environmental outcomes: (f),(g),(h),(i), should come first as they are aligned to the purpose of the Act to enable Te Oranga o te Taiao as well as support Te Ao Maori. The following other outcomes, fit the natural environment and then built environment themes. Overall, across the environmental outcomes, greater clarity is needed for what we are seeking to achieve with these outcomes through the NPF.		
7	**s8(a)**	(a) the quality of air, freshwater, coastal waters, estuaries, and soils is protected, restored, or improved:	support in part	amend wording to "the quality of air, freshwater. coastal waters, estuaries, and soils **is improved"**		
8	**s8(b)**	(b) ecological integrity is protected, restored, or improved:	support in part	amend wording to "ecological integrity is **improved"**		
8	**s8(c)**	(c) outstanding natural features and landscapes are protected, restored, or improved:				
8	**s8(d)**	(d) areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected, restored, or improved:				
8	**s8(e)**	(e) in respect of the coast, lakes, rivers, wetlands, and their margins,— (i) public access to and along them is protected or enhanced; and (ii) their natural character is preserved:				
8	**s8(f)**	"(f) the relationship of iwi and hapū, and their tikanga and traditions, with their ancestral lands, water, sites, wāhi tapu, and other taonga is restored and protected	support in part	Amend to include 'mahinga kai': "(f) the relationship of iwi and hapū, and their tikanga and traditions, **including mahinga kai**, with their ancestral lands, water, sites, wāhi tapu, and other taonga is restored and protected		
8	**s8(g)**	(g) the mana and mauri of the natural environment are protected and restored:	Support in part	Amend to include 'strengthened': "the mana and mauri of the natural environemnt is protected and **strengthened**". The current wording implies that the natural environment in some places does not currently have mana or mauri		
8	**s8(h)**	(h) cultural heritage, including cultural landscapes, is identified, protected, and sustained through active management that is proportionate to its cultural values:	Support	Cultural landscapes are not defined. Strongly suggest mana whenua to determine cultural landscapes		Randerson's report (Chapter 3) and recommendations concerning cultural landscapes were in respect of a Te Ao Māori world view. The definition under the proposed NBA broadens this – one assumes intentionally – but does not put any qualification on the value of that cultural landscape (e.g. it is only that it contributes to 'an understanding and appreciation' of history – and the only 'significance qualification' is in respect of wāhi tapu. Is this intended to be so broad, but then so narrow in respect of wāhi tapu? I note the draft makes reference to the management being commensurate to the values (and not sure what 'active management' will mean
8	**s8(i)**	(i) protected customary rights are recognised:	Support in part	8(i) should recognise and protect customary rights, they are legal rights, and not subject to decisions under this act that they can be sacrificed for some new purpose or activity. Loose reference to 'protected' customary rights, or provide interpretation.		
8	**s8(j)**	(j) greenhouse gas emissions are reduced and there is an increase in the removal of those gases from the atmosphere:	Support			
8	**s8(k)**	(k) urban areas that are well-functioning and responsive to growth and other changes, including by— (i) enabling a range of economic, social, and cultural activities; and (ii) ensuring a resilient urban form with good transport links within and beyond the urban area:				
8	**s8(l)**	(l) a housing supply is developed to— (i) provide choice to consumers; and (ii) contribute to the affordability of housing; and (iii) meet the diverse and changing needs of people and communities; and (iv) support Māori housing aims:	Support in part	(iv) how will we support Māori housing aims? Add papakainga and marae or be more specific about what it is? This should be designed by iwi/Māori and facilitated by Maori planning/practitioner experts in the field	Support in part	to meet the diverse needs of our Pasifika commuity a direct link towards our social enterprises for grass root examples and implementation models of hpw to best achieve this need for Maori and Pasifika families Suggest meeting with various Pasifika adviasory boards for initial engagement (what are local authorities and HUB doing at the moment in this space) Other frameworks or work programmes in other ministries and leverging off those plans? Who are the consumers? Developers? Family first? Need more clarity if this means they have first priority
8	**s8(m)**	(m) in relation to rural areas, development is pursued that— (i) enables a range of economic, social, and cultural activities; and (ii) contributes to the development of adaptable and economically resilient communities; and (iii) promotes the protection of highly productive land from inappropriate subdivision, use, and development:				
8	**s8(n)**	(n) the protection and sustainable use of the marine environment:	support			
9	**s8(o)**	(o) the ongoing provision of infrastructure services to support the well-being of people and communities, including by supporting— (i) the use of land for economic, social, and cultural activities: (ii) an increase in the generation, storage, transmission, and use of renewable energy:				
9	**s8(p)**	(p) in relation to natural hazards and climate change,— (i) the significant risks of both are reduced; and (ii) the resilience of the environment to natural hazards and the effects of climate change is improved.				
Part 3 National Planning Framework - *Requirement for national planning framework*						
Section 9 National Planning Framework						
9	**s9(1)**	(1) There must at all times be a national planning framework.				
9	**s9(2)**	(2) The national planning framework— (a) must be prepared and maintained by the Minister in the manner set out in Schedule 1; and (b) has effect when it is made by the Governor-General by Order in Council under section 11.			Support	inclusion of housing supply and urban areas are matters that MUST be in the national planning framework, but not the inclusion of rural is strange and perhaps over dominated by today's issues. Need to understand how this will managed.
Section 10 Purpose of national planning framework						
9	**s10**	The purpose of the national planning framework is to further the purpose of this Act by providing integrated direction on— (a) matters of national significance; or (b) matters for which national consistency is desirable; or (c) matters for which consistency is desirable in some, but not all, parts of New Zealand.	Support in part	Not clear how matters of national significance differ from environmental outcomes? Not clear why all environmental outcomes wouldn't automatically be matters of national significance? This brings into question the weighting afforded to s8 environmental outcomes, when the secondary legislation may effectively overrule it. - Looking to the future and generations to come, while acknowledging the journey and learnings from the past - Clear direction and strategy with focus on outcomes to be achieved - Consideration of customary interests and practices, and the impact of activities on these - Acknowledging the importance of relationships for successful resource management - Greater recognition of intangible values		
Section 11 National planning framework to be made as regulations						
9	**s11)1)**	(1) The Governor-General may, by Order in Council made on the recommendation of the Minister, make the national planning framework in the form of regulations.	Support	Need to understand what the processes or systems that are in place for implementation. Not much direction in the past from the crown		
9	**s11(2)**	(2) The regulations may apply— (a) to any specified region or district of a local authority; or (b) to any specified part of New Zealand.	Support	Support these being able to be varied regionally		
9	**s11(3)**	(3) The regulations may— (a) set directions, policies, goals, rules, or methods: (b) provide criteria, targets, or definitions.				

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10	**s11(4)**	(4) Regulations made under this section are secondary legislation (see Part 3 of the Legislation Act 2019 for publication requirements).				
Section 12 Environmental limits						
10	**s12(1)**	Environmental limits— (a) may be prescribed in the national planning framework; or (b) may be made in plans if the national planning framework prescribes the requirements relevant to the setting of limits by planning committees.		Concern around these being set by the minister. Instead, propose that they be set by an independent body with mana whenua representation		In terms of Environment Limits, there must be a precautionary approach (s16) when setting environmental limits and in my view will be challenging in practice i.e. set a do nothing limit until we have perfect knowledge. I appreciate that conversely with water quality it's fair to say that the 'enable it and then try to wind it back when problems show up' approach hasn't been great either! Given that the purpose of limits is to protect human health (as well as natural) can see all sorts of debate about cell-phone towers, quarry dust, fluoridation of water supplies etc…
10	**s12(2)**	(2) Environmental limits may be prescribed— (a) qualitatively or quantitatively: (b) at different levels for different circumstances and locations.	Support	Support the ability to use either qualitative or quanttative measurements. Support them being able to be set regionally if needed		
Section 13 Topics that national planning frameworks must include						
10	**s13(1)**	(1) The national planning framework must set out provisions directing the outcomes described in—		Each of these provisions will have a Māori component, Māori perspectives and management methods should be embedded into every subject		
10	**s13(1)(a)**	a) **section 8(a)** (the quality of air, freshwater, coastal waters, estuaries, and soils); and				
10	**s13(1)(b)**	(b) **section 8(b)** (ecological integrity); and				
10	**s13(1)(c)**	(c) **section 8(c)** (outstanding natural features and landscapes); and				
10	**s13(1)(d)**	(d) **section 8(d)** (areas of significant indigenous vegetation and significant habitats of indigenous animals); and				
10	**s13(1)(e)**	(e) **section 8(j)** (greenhouse gas emissions); and				
10	**s13(1)(f)**	(f) **section 8(k)** (urban areas); and				
10	**s13(1)(g)**	(g) **section 8(l)** (housing supply); and				
10	**s13(1)(h)**	(h) **section 8(o)** (infrastructure services); and				
10	**s13(1)(i)**	(i) **section 8(p)** (natural hazards and climate change);.				
10	**s13(2)**	(2) The national planning framework may also include provisions on any other matter that accords with the purpose of the national planning framework, including a matter relevant to an environmental outcome provided for in section 8.	Support	Support ability to extend these Clear process for developing and amending the NPF with central governement needs to be made clear, given the significant amount of power that the Minister of the day has to set the direction		
10	**s13(3)**	(3) In addition, the national planning framework must include provisions to help resolve conflicts relating to the environment, including conflicts between or among any of the environmental outcomes described in section 8.				
Section 14 Strategic directions to be included						
11	**s14**	The provisions required by sections 10, 12, and 13 must include strategic goals such as— (a) the vision, direction, and priorities for the integrated management of the environment within the environmental limits; and (b) how the well-being of present and future generations is to be provided for within the relevant environmental limits.				
Section 15 Implementation of national planning framework						
11	**s15(1)**	(1) The national planning framework may direct that certain provisions in the framework— (a) must be given effect to through the plans; or (b) must be given effect to through regional spatial strategies; or (c) have direct legal effect without being incorporated into a plan or provided for through a regional spatial strategy.				
11	**s15(2)**	(2) If certain provisions of the national planning framework must be given effect to through plans, the national planning framework may direct that planning committees— (a) make a public plan change; or (b) insert that part of the framework directly into their plans without using the public plan change process; or (c) amend their plans to give effect to that part of the framework, but without— (i) inserting that part of the framework directly into their plans; or (ii) using the public plan change process.				
11	**s15(3)**	(3) Amendments required under this section must be made as soon as practicable within the time, if any, specified in the national planning framework.				
Section 16 application for precautionary approach						
11		In setting environmental limits, as required by section 7, the Minister must apply a precautionary approach.	Support			
Section 17 [Placeholders]						
11		[Placeholder for other matters to come, including— (i) the role of the Minister of Conservation in relation to the national planning framework; and (ii) the links between this Act and the Climate Change Response Act 2002.]				
Section 18 Implementation principles						
12	**s18**	[Placeholder for implementation principles. The drafting of this clause is at the indicative stage; the precise form of the principles and of the statutory functions they apply to are still to be determined. In paras (b) and (e), the terms in square brackets need to be clarified as to the scope of their meaning in this clause.] [Relevant persons must]—				
12	**s18(a)**	(a) promote the integrated management of the environment:	Support		Support	Needs clarity in how this will all be integrated and how will be monitored if priorities may change over time
12	**s18(b)**	(b) recognise and provide for the application, in relation to [te taiao], of [kawa, tikanga (including kaitiakitanga), and mātauranga Māori]:	Support			
12	**s18(c)**	(c) ensure appropriate public participation in processes undertaken under this Act, to the extent that is important to good governance and proportionate to the significance of the matters at issue:				
12	**s18(d)**	(d) promote appropriate mechanisms for effective participation by iwi and hapū in processes undertaken under this Act:	support in part	including resourcing. Mana whenua are already stretched with capacity and are in reactive mode a majority of the time. **Suggest**: Crown to appropriately resource mana whenua to participate effectively at the NPF levels and at the NABE plans level. This includes iwi procurement of their matauranga Maori specialists and/or Planning technicians to prepare and draft mana whenua view of Te Oranga o te Taiao. **Solution example**: Auckland Council has a capacity agreement with the 19 mana whenua in Tamaki Makaurau. Any capacity resourcing needs to be assessed and appropriately funded to the scale of the NPF and NABE Plans.	Support in part	Iwi management plans need to utilised to its full potential and needs to be re scoped again especially the appraoch as some iwi identify it as intellectual property and not comfortable to share tjhis information widely CVA/CIA something with similar functions but will work in favour for mana whenua conseridng capacity and resourcing issues (Maori impacts statements)
12	**s18(e)**	(e) recognise and provide for the authority and responsibility of each iwi and hapū to protect and sustain the health and well-being of [te taiao]:	support			
12	**s18(f)**	(f) have particular regard to any cumulative effects of the use and development of the environment:	support			
12	**s18(g)**	(g) take a precautionary approach.	support			

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Part 4 Natural and Built Environment Plans - *Requirement for natural and built environments plan*						
section 19 Natural and built environments plans						
12	**s19**	There must at all times be a natural and built environments plan (a plan) for each region.		See submission from Papa Pouamu		
Section 20 Purpose of plans						
12	**s20**	The purpose of a plan is to further the purpose of the Act by providing a framework for the integrated management of the environment in the region that the plan relates to.				
Section 21 How plans are prepared, notified, and made						
12	**s20(1)**	(1) The plan for a region, and any changes to it, must be made— (a) by that region's planning committee; and (b) using the process set out in Schedule 2.				
12	**s20(2)**	(2) [Placeholder for status of plans as secondary legislation.]				
Section 22 Contents of plans						
13	**s22(1a)**	(1) The plan for a region must— (a) state the environmental limits that apply in the region, whether set by the national planning framework or under **section 25**; and				
13	**s22(1b)**	(b) give effect to the national planning framework in the region as the framework directs (see **section 15**); and				
13	**s22(1c)**	(c) promote the environmental outcomes specified in **section 8** subject to any direction given in the national planning framework; and				
13	**s22(1d)**	(d) [placeholder] be consistent with the regional spatial strategy; and				
13	**s22(1e)**	(e) identify and provide for— (i) matters that are significant to the region; and (ii) for each district within the region, matters that are significant to the district; and				
13	**s22(1f)**	(f) [placeholder: policy intent is that plans must generally manage the same parts of the environment, and generally control the same activities and effects, that local authorities manage and control in carrying out their functions under the Resource Management Act 1991 (see sections 30 and 31 of that Act)]; and				
13	**s22(1g)**	(g) help to resolve conflicts relating to the environment in the region, including conflicts between or among any of the environmental outcomes described in section 8; and				
13	**s22(1h)**	(h) [placeholder for additional specified plan contents]; and	Oppose	This should be an Iwi Management Plan clause. "be consistent with any relevent Iwi Management Plans or other manadated hapū or iwi environmental plans"		
13	**s22(1i)**	(i) include anything else that is necessary for the plan to achieve its purpose (see **section 20**).				
13	**s22(2)**	A plan may— (a) set objectives, rules, processes, policies, or methods: (b) identify any land or type of land in the region for which a stated use, development, or protection is a priority: (c) include any other provision.				
Section 23 Planning committees						
13	**s23(1)**	(1) A planning committee must be appointed for each region.				
13 & 14	**s23(2)**	(2) The committee's functions are— (a) to make and maintain the plan for a region using the process set out in Schedule 2; and (b) to approve or reject recommendations made by an independent hearings panel after it considers submissions on the plan; and (c) to set any environmental limits for the region that the national planning framework authorises the committee to set (see section 7).			Support in Part	Once the committee has prepared the plan, the submission process is considered by an Independent Hearings Panel. The committee then accept or reject the IHP recommendations (s23(2)(b)). So the committee has the role of Councils but the decision making is to be done by an IHP for all plans. Interestingly there is no reference to subsequent appeal rights – presumably if there are appeal rights then the committee also becomes the respondent and will have to fund court action to defend the plan?
14	**s23(3)**	(3) Provisions on the membership and support of a planning committee are set out in Schedule 3.				
section 24 Considerations relevant to planning committee decisions						
14	**s24(1)**	(1) A planning committee must comply with this section when making decisions on a plan.				
14	**s24(2)**	(2) The committee must have regard to— (a) any cumulative effects of the use and development of the environment: (b) any technical evidence and advice, including mātauranga Māori, that the committee considers appropriate: (c) whether the implementation of the plan could have effects on the natural environment that have, or are known to have, significant or irreversible adverse consequences: (d) the extent to which it is appropriate for conflicts to be resolved generally by the plan or on a case-by-case basis by resource consents or designations.	support in part	Add (e) "any relevent Iwi Management Plans or other mandated hapū or iwi environmental strategy"		
14	**s24(3)**	(3) The committee must apply the precautionary approach.	Support			
14	**s24(4)**	(4) The committee is entitled to assume that the national planning framework furthers the purpose of the Act, and must not independently make that assessment when giving effect to the framework.				
14	**s24(5)**	(5) [Placeholder for additional matters to consider.]				
14	**s24(6)**	(6) In **subsection (2)(d)**, conflicts— (a) means conflicts relating to the environment; and (b) includes conflicts between or among any of the environmental outcomes described in **section 8**.				
Section 25 Power to set environmental limits for region						
14	**s25(1)**	(1) This section applies only if the national planning framework— (a) specifies an environmental limit that must be set by the plan for a region, rather than by the framework; and (b) prescribes how the region's planning committee must decide on the limit to set.				
14	**s25(2)**	(2) The planning committee must— (a) decide on the limit in accordance with the prescribed process; and (b) set the limit by including it in the region's plan.	support in part	Add "(c) engage with mana whenua as part of the limit-setting process"		
Schedule 3 Planning Committees						
Membership						
Schedule 3 Section 1 Membeship of planning committees						
Schedule 3 Section 1						
17	**sch 3(1)**	(1) The members of a region's planning committee are— (a) 1 person appointed under clause 2 to represent the Minister of Conservation: (b) mana whenua representatives appointed under clause 3: (c) either— (i) 1 person nominated by each local authority that is within or partly within the region; or (ii) [placeholder for appropriate representation if the regional council is a unitary authority].	Support in part	Planning commitees should be 50/50 tangata whenua and tangata tiriti		Given the responsibility landing on these panels, I wonder if actually they need to be appointed rather than being potentially made up of an elected member from each council (appreciating that councils could choose an independent commissioner, but equally could just choose an elected member). Unless the legislation will also set out criteria for panel members e.g. professional qualifications and experience It is also strongly recommended that a member from a recognised pacific group as stakeholder must be appointed/selected as part of this committee. The regional unitary plan (but maybe not the regional spatial plan?) are produced by a planning committee. The committee for example is made up of 1 DoC + 1 Iwi + 1 per council and other stakeholder (pacific rep). So for Northland this means Kaipara, Whangarei, Far north and NRC = committee of 4+. Whangarei with a population of about 100k has the same representation as Kaipara with a population of about 25k. So issues of equitable representation??? Conversely if it was done on a population basis then it would end up being a Whangarei committee with a couple of rural reps, which again has its challenges

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Schedule 3 section 2 Appointment of member to represent Minister of Conservation						
17	**sch 3(2)**	[Placeholder]				
Schedul 3 section 3 Appointment of mana whenua members						
17	**sch 3(3)**	[Placeholder] This section sets out— (a) how many mana whenua representatives may be appointed to a planning committee; and (b) how those representatives are selected and appointed.				
Schedule 3 section 4 Appointment of planning committee chairperson						
	sch3(4)	[Placeholder]				
Schedule 3 section 5 Planning committee secretariat						
18	**sch3(1)**	(1) [Placeholder] Each planning committee must establish and maintain a secretariat.				
18	**sch3(2)**	(2) The function of the secretariat is to provide any advice and administrative support that the committee requires to help it carry out its functions under this Act, including, for example, to— (a) provide policy advice: (b) commission expert advice: (c) draft plans and changes to plans: (d) co-ordinate submissions.				The regional plan is then prepared by the planning committee secretariat, with the secretariat 'supported' and funded by the TLAs. So the plan writing function (and staff) sits outside of the councils – it's not a regional plan written by the regional council. Funding will be an interesting conversation – if Kaipara DC has the same representation on the committee as Whangarei does it pay the same $ contribution – or are the $ done on a population basis?
18	**sch3(3)**	(3) [Placeholder: policy intent is that local authorities support secretariat.]				
Schedule 3 section 6 Local authorities must fund secretariat						
18		[Placeholder]	Support in part	Funding for mana whneua involvement must also be adressed. Ideally funds should come from MfE		
Parlimentary paper on the Exposure Draft Natural and Built Environment bill						
Part C Appendices						
Appendix 1 - Terms of Reference						
80	**para 1**	The purpose of the inquiry is to provide feedback on the extent to which the provisions in the exposure draft of the Natural and Built Environments Bill will support the resource management reform objectives, to:				
	a	a) protect and where necessary restore the natural environment, including its capacity to provide for the well-being of present and future generations				
	b	b) better enable development within environmental biophysical limits including a significant improvement in housing supply, affordability and choice, and timely provision of appropriate infrastructure, including social infrastructure				
	c	c) give effect to the principles of Te Tiriti o Waitangi and provide greater recognition of te ao Māori, including mātauranga Māori				
	d	d) better prepare for adapting to climate change and risks from natural hazards, and better mitigate emissions contributing to climate change				
	e	e) improve system efficiency and effectiveness, and reduce complexity, while retaining appropriate local democratic input.				
	para 2	2. The select committee is asked to pay particular attention to objective (e) when providing their feedback on point 1.				
	para 3	3. The select committee is also asked to collate a list of ideas (including considering the examples in the parliamentary paper) for making the new system more efficient, more proportionate to the scale and/or risks associated with given activities, more affordable for the end user, and less complex, compared to the current system.				
	para 4	For the avoidance of doubt, the scope of the inquiry is limited to the following: a) feedback on the exposure draft b) feedback on the material in the parliamentary paper that provides rationale for the clauses in the exposure draft c) collating a list of ideas for point 3 above.				
Appendix 2 Examples of system efficiences						
81		**Increased central direction and tools, for example:**				
		• greater accountability mechanism for councils in exercising governance of their planning functions		Clear guidance on applications, minimum standards for information and qualificaitons of people submitting applications would be helpful. Provide a pre-application		
		• centralised digital tools and platforms including providing national data sets, standardised methods and models (eg natural hazard data, water allocation)				
		• developing controls through national standards where these are more appropriate than bespoke planning controls (eg silt control for subdivisions and roads)				
		• developing template standards that are available for councils to adopt as appropriate				
		• standardised methods for assessing significance or determining technical matters (eg the interaction between natural character, indigenous biodiversity and outstanding natural landscapes).				
81		**Efficiency in NBA plan development and content, for example:**				
		• streamlined and more flexible consultation requirements for plan development				
		• requiring written submissions rather than oral	Oppose	Disagree. Mana whenua are oral communicators. You are excluding people who wish to be heard, in various forms of communication. Written submissions are only one form of efficiency.		
		• standardised templates for residential zones				
		• limiting detailed amenity/urban design rules such as centres policies and business zone restriction				
		• setting a minimum enabled development capacity within residential zones (eg under the National Policy Statement for Urban Development 2020)				
		• stricter controls on the use of expert evidence				
		• stricter controls on information requirements, including when (RMA section 37 equivalent) requests are used (eg request for further information and time waivers)				
		• robust processes for managing complaints				
		• greater accountability mechanism for councils in exercising governance of their planning functions.				