

## Resource Management Act overhaul announced

### **A comprehensive review of New Zealand's resource management system, to be undertaken by an Expert Advisory Group, has been announced by the Minister for the Environment.**

The review aims to "improve environmental outcomes and enable better and timely urban development within environmental limits". It will focus on the RMA, but also consider the interface with other legislation including Local Government Act 2002, Land Transport Management Act 2003 and Climate Change Response (Zero Carbon) Amendment Act (once passed).

The Expert Advisory Group (AEG) will be led by retired Court of Appeal Judge Tony Randerson. Other AEG members and terms of reference are to be confirmed by Cabinet. Draft terms of reference indicate a two-phase process:

- Phase 1 will involve consultation with a targeted group to develop an issues and options paper, to be provided to the Minister by October 2019. Cabinet will consider the report and make specific directions for the next phase of the review.
- Phase 2 requires the AEG to deliver reform proposals, including indicative legislative drafting of key provisions, for public consultation. The AEG's final report to the Minister is to be provided by mid-2020.

The review will address three key aspects of the RMA:

#### 1. Objectives and alignment – including:

- Removing unnecessary complexity from the RMA and improving alignment with other legislation.

- Improving clarity in Part 2 (RMA purpose and principles).
- Better addressing urban development objectives, considering inclusion of new concepts such as resilience to climate change and natural hazards, and explicitly addressing restoration or enhancement of the natural environment.
- Using spatial planning to align land use and infrastructure planning, regulation and funding.
- Considering whether to separate statutory provisions for land use planning and environmental protection.

#### 2. Functions and processes – including:

- Reviewing all RMA functions and processes to ensure they are efficient, effective and coherent.
- Improving the effectiveness of national direction and the quality of plans and decision making.
- Ensuring compliance, enforcement and monitoring functions are effective.

#### 3. Institutions – including:

- Considering allocation of roles to central and local government, the Environment Court, and other institutions. It is intended that regional and territorial authorities will be retained.

While the review is comprehensive, the AEG will not start with an entirely clean sheet of paper. It is intended that initiatives underway to improve operation of the existing RMA (such as national direction) will be carried over, together with regional and district plans. The review is to build on current work on issues such as freshwater, climate change, urban development and biodiversity. The proposals for reform should continue to uphold the core principles of Part 2, and provide for local decision-making and meaningful public participation. The AEG is also

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**RMA overhaul announced**  
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directed to draw on previous reviews of the resource management system by various entities.

In addition to the review, an Amendment Bill is currently being drafted to address problems with the RMA that are considered relatively straightforward to correct in the more immediate future.

This will be a major review. All participants in the RMA sector should keep informed about and participate in the review.

**Want to know more?**

Anderson Lloyd provides advice on the potential implications of legislative reform and involvement in consultation phases. For more information, please contact one of our [Resource Management](#) specialists.