3 February 2020

Committee Secretariat
Environment Committee
Parliament Buildings
Wellington

Dear Sir/Madam

Comments on the “Transforming the resource management system: Opportunities for change, Issues and Options paper”

The West Coast Regional Council welcomes the opportunity to make comments on the “Transforming the resource management system: Opportunities for change, Issues and Options paper”. Attached are our comments. We look forward to providing further feedback in future stages of this review.

Our contact details for service are:

West Coast Regional Council
P.O. Box 66
Greymouth 7840

Yours faithfully

West Coast Regional Council
West Coast Regional Council comments on the “Transforming the resource management system: Opportunities for change, Issues and Options paper”

General comment
Due to the substantial amount of national law, policy and regulatory direction being released by central government for feedback and submissions, the West Coast Regional Council (WCRC or the Council) has not had the time to give sufficient consideration to all of the Issues and Options outlined in the paper. Our brief comments therefore focus on some key issues for this Council in its resource management work. We ask that the Review Panel gives full consideration to these matters. We wish to be involved in future discussions and consultation on this review process.

Consideration of regional differences
Every region and district is different throughout New Zealand and any changes to the resource management system need to be flexible enough to ensure that these differences can be provided for when implementing the resource management legislation.

The WCRC has some unique features that make it different to other regions. The WCRC is the smallest regional council in New Zealand and manages the fifth largest area in the country. Only 15% of the region is in private ownership with the Department of Conservation and Land Information New Zealand (LINZ) administering the remaining 84% and 1% respectively. Consequently, the Council only receives rates on the 15% of land in private ownership, making resourcing to deliver the same services and functions as more developed regions with a larger rating base and resources, a challenge.

More specifically, pressures on indigenous biodiversity and wider environmental decline are relatively less of an issue in our region compared to more developed parts of the country. For example, some indigenous species that are ranked nationally as rare or threatened are in abundance in the West Coast. Urban areas on the West Coast are not experiencing population growth; rather the challenge is to maintain or increase the population to enable economic and social stability into the future. Additionally, the West Coast does not have the scale of water pollution problems that exist in drier, developed regions. For example, modelling has shown that 99% of our lakes and rivers meet the requirements for primary contact in the NPSFM. See following link:


Any reform of the resource management system therefore needs to keep in mind that not all regions are the same, and such variation must be provided for, or exemption made for where a ‘national’ issue is not an issue in all regions. Section 45A(3) of the RMA already provides that a national policy statement can specify that it applies to a particular district, region, local authority or part of New Zealand. Therefore any changes made to the resource management system through this process and other future processes will need to ensure they allow each region and district the ability to address their own specific issues and challenges. Both in their ability to address resourcing issues, and in managing their different environments.
**Issue 5: Addressing climate change and natural hazards**

We strongly agree that natural hazards management is a national issue. Most West Coast communities are located within the coastal environment, of which many are experiencing ongoing coastal erosion and inundation. The townships of Granity and Westport are examples of this. Others, such as Franz Josef, are located near the Alpine Fault or near steep slopes and rivers which are prone to landslides and flooding when heavy rain occurs. Therefore we support the development of national direction to provide clearer planning restrictions for development in high risk areas and clarifying how to address existing use rights in high risk areas.

In our view, the solution requires central government funding and other processes which are not listed in the options. We support using new planning tools like the Ministry for the Environment’s Dynamic Adaptive Pathways Process (DAPP) for communities facing sea level rise and other natural hazards. But managed retreat may be the only pathway for many communities facing advanced coastal erosion. Currently there is no funding for communities in this dilemma. Central Government needs to come up with a framework for the managed retreat pathway and some sort of funding mechanism. This framework might include things like:

- DoC, LINZ or Crown land release specifically for communities needing to adapt to the effects of climate change.
- Government financial instruments (e.g. grants or 50-100 year low/no interest loans) for councils and communities to fund development related costs in the new locations such as planning, earthworks, roads and three waters.
- Options for relocation of houses and private assets or again long term loans for climate change related relocations.

This would have to happen in parallel with territorial authorities and regional council dual plan changes.

**Issue 6: National direction**

Our concern is that the options put forward, to use more directive instruments such as national environmental standards (NES’s) and regulations, or national policy statements, will increase the broad brush approach, particularly through NES’s, which don’t necessarily achieve good outcomes for all regions. In our experience, national direction tends to be a blanket ‘one size fits all’ approach. The proposed National Policy Statement for Indigenous Biodiversity is a case in point. It is important that regional differences are incorporated into any national directive approach.

**Issue 7: Policy and planning framework**

We strongly oppose the option of requiring draft plans to be approved by a Minister or central government. It is likely that the Minister and central government will not have a good enough understanding of local issues and so may require changes to the plan which are not suitable for the region. The reason for having a hearing panel and having Councillors approve proposed plans is to ensure that the plans reflect local issues and appropriate management. We are also concerned that the Minister will not have the time to approve draft plans, causing the process to be delayed. Therefore we support keeping the current process of councillors approving draft plans.

**Issue 8: Consents/approvals**

We wish to be involved in further discussion on these issues. The simplification of the notification process would be useful, particularly the role of policy in potentially differentiating between significant and minor activities. For options 114 (g) and (h), these are supported in principle but central government support around the establishment of systems and the time individual councils are required to implement them would be needed, as for some Councils this will require significant IT change.
**Issue 12: Compliance, monitoring and enforcement (CME)**

There needs to be a balance between central oversight and regional/local devolvement of CME functions. Our main concern around the loss of regional CME, or weakening of this role, is the lack of central understanding of regional issues and the relationships held at a regional level. This is very relevant where councils take a risk-based approach to CME, assessing the severity and effects of the non-compliance in the local context.

It is still unclear the role central government would take in CME activities. While central assistance in investigating a large scale or complex matter could be helpful, this should only be undertaken by a central unit at the request of a council and we question the need for a centralised role overall in relation to non-compliance, particularly small scale matters.

Metrics indicate that regional councils are generally performing adequately (for example the Catalyst Group/CESIG CME analysis report [https://www.lgnz.co.nz/assets/Uploads/bc9da4d6cd/CME-Regional-Sector-Metrics-Report-FINAL.pdf](https://www.lgnz.co.nz/assets/Uploads/bc9da4d6cd/CME-Regional-Sector-Metrics-Report-FINAL.pdf)) and the sector is working well towards continuous improvement. One of the key barriers identified to better CME delivery is councils’ ability to fund staff, and central government assistance towards training and funding appropriate staffing levels may better assist regional councils to improve the discharge of their CME functions.

**Issue 13: Institutional roles and responsibilities**

We are concerned that options (a) and (e) potentially remove West Coast councils’ ability to reflect what is best for the local communities and ratepayers.

This ends our submission.