#10

## Issue 1: Legislative architecture

**Q3** 1. Should there be separate legislation dealing with environmental management and land use planning, or is the current integrated approach preferable?

**No, the RMA should remain an integrated statute,**

Please provide an explanation of why you selected this option:

Without having analysed and considered the implications of the options properly, initial view is that land-use cannot be separated and dealt with in isolation from sustainable management principles and therefore robust and connected environmental planning.

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## Issue 2: Purpose and principles of the Resource Management Act 1991 (RMA)

**Q4** 2. What changes should be made to Part 2 of the RMA?

Any changes must not diminish or should enhance the current principles.
Q5 3. Does section 5 require any modification? Yes,
If so, why?:
Kaitiakitanga (not stewardship), Te Tiriti o Waitangi need to, as a minimum, be recognised as matters of national importance/significance. Currently, the part 2 hierarchy does not afford these matters the right place within the part 2 considerations. The exercise of kaitiakitanga is an act in itself of rangatiratanga. Rangatiratanga here (which intrinsically involves the ethic of kaitiakitanga) concerns the authority and right of those with an ahikaa relationship to a taonga make decisions concerning that taonga in accordance with the tikanga and geo-specific matauranga of the ahikaa peoples. These are all matters confirmed by Te Tiriti that need much better recognition and understanding by all.

Q6 4. Should sections 6 and 7 be amended? Yes,
If so, why?:
As per previous answer

Q7 5. Should the relationship or ‘hierarchy’ of the matters in section 6 and 7 be changed? Yes,
If so, why?:
Ditto

Q8 6. Should there be separate statements of principles for environmental values and development issues (and in particular housing and urban development)? No

Q9 7. Are changes required to better reflect te ao Māori? Ditto previous answer

Q10 8. What other changes are needed to the purpose and principles in Part 2 of the RMA? Possibly removal of 7(aa) and others

Page 5: Issue 3: Recognising Te Tiriti o Waitangi / the Treaty of Waitangi and te ao Māori

Q11 9. Are changes required to section 8, including the hierarchy with regard to sections 6 and 7? Yes,
If so, why?:
As per previous answers and historical information that evidences the failures of the act and those administering it, where Maori and Maori issues, rights, responsibilities & interests are concerned.

Q12 10. Are other changes needed to address Māori interests and engagement when decisions are made under the RMA? Need to consider this more but first thoughts are yes
Page 6: Issue 4: Strategic integration across the resource management system

Q13 11. How could land use planning processes under the RMA be better aligned with processes under the LGA and LTMA?

Not sure

Q14 12. What role should spatial planning have in achieving better integrated planning at a national and regional level?

A central one but participation and shared decision making with Maori (Iwi/hapu) must be clarified at the same time. Spatial plans must also work for Maori. In other words, Maori needs, rights, responsibilities and interests need clarifying before a successful model for spatial planning can be developed.

Q15 13. What role could spatial planning have in achieving improved environmental outcomes?

By planning for activities that do not conflict with or compromise the environmental and Maori values of the environment. Matauranga should be embedded in the spatial process design.

Q16 14. What strategic function should spatial plans have and should they be legally binding?

Unsure / don’t know

Q17 15. How should spatial plans be integrated with land use plans under the RMA?

Not all things can be integrated.

Land use plans should focus on built areas first & foremost. Landuse plans could incorporate an areas natural settings (prior to any development) as a Guide to concept design and ongoing remedial actions.

Page 7: Issue 5: Addressing climate change and natural hazards

Q18 16. Should the RMA be used as a tool to address climate change mitigation?

Unsure / don’t know

If so, how?:

Probably should. Perhaps identify CC in section 5 and then build appropriate framework from there.

Q19 17. What changes to the RMA are required to address climate change adaptation and natural hazards?

Complete framework starting with identification at section 5

Q20 18. How should the RMA be amended to align with the Climate Change Response Act 2002?

Not sure

Page 8: Issue 6: National direction
<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
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<tbody>
<tr>
<td>Q21 19. What role should more mandatory national direction have in setting environmental standards, protection of the environment generally, and in managing urban development?</td>
<td>Respondent skipped this question</td>
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<tr>
<td>Q22 20. How could the content of plans be improved?</td>
<td>Respondent skipped this question</td>
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<td>Q23 21. How can certainty be improved, while ensuring responsiveness?</td>
<td>Respondent skipped this question</td>
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<td>Q24 22. How could planning processes at the regional and district level be improved to deliver more efficient and effective outcomes while preserving adequate opportunity for public participation?</td>
<td>Respondent skipped this question</td>
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<td>Q25 23. What level of oversight should there be over plans and how should it be provided?</td>
<td>Respondent skipped this question</td>
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<tr>
<td>Q26 24. How could consent processes at the national, regional and district level be improved to deliver more efficient and effective outcomes while preserving appropriate opportunities for public participation?</td>
<td>Respondent skipped this question</td>
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<tr>
<td>Q27 25. How might consenting processes be better tailored to the scale of environmental risk and impact?</td>
<td>Respondent skipped this question</td>
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<tr>
<td>Q28 26. Are changes required for other matters, such as the process for designations?</td>
<td>Respondent skipped this question</td>
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<tr>
<td>Q29 27. Are changes required for other matters, such as review and variation of consents and conditions?</td>
<td>Respondent skipped this question</td>
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<tr>
<td>Q30 28. Are changes required for other matters such as the role of certificates of compliance?</td>
<td>Respondent skipped this question</td>
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<tr>
<td>Q31 29. What role should economic instruments and other incentives have in achieving the identified outcomes under the resource management system?</td>
<td>Respondent skipped this question</td>
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<td>Q32 30. Is the RMA the appropriate legislative vehicle for economic instruments?</td>
<td>Respondent skipped this question</td>
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Page 12: Issue 10: Allocation

**Q33** 31. Should the RMA provide principles to guide local decision making about allocation of resources? Respondent skipped this question

**Q34** 32. Should there be a distinction in the approach taken to allocation of the right to take resources, the right to discharge to resources, and the right to occupy public space? Respondent skipped this question

**Q35** 33. Should allocation of resources use such as water and coastal marine space be dealt with under the RMA or elsewhere as is the case with minerals and fisheries, leaving the RMA to address regulatory issues? Respondent skipped this question

Page 13: Issue 11: System monitoring and oversight

**Q36** 34. What changes are needed to improve monitoring of the resource management system, including data collection, management and use? Respondent skipped this question

**Q37** 35. Who should have institutional oversight of these functions? Respondent skipped this question

Page 14: Issue 12: Compliance, monitoring and enforcement

**Q38** 36. What changes are needed to compliance, monitoring and enforcement functions under the RMA to improve efficiency and effectiveness? Respondent skipped this question

**Q39** 37. Who should have institutional responsibility for delivery and oversight of these functions? Respondent skipped this question

**Q40** 38. Who should bear the cost of carrying out compliance services? Respondent skipped this question

Page 15: Issue 13: Institutional roles and responsibilities

**Q41** 39. Although significant change to institutions is outside the terms of reference for this review, are changes needed to the functions and roles or responsibilities of institutions and bodies exercising authority under the system? Respondent skipped this question

**Q42** 40. How could existing institutions and bodies be rationalised or improved? Respondent skipped this question
<table>
<thead>
<tr>
<th>Q43</th>
<th>41. Are any new institutions or bodies required?</th>
<th>Respondent skipped this question</th>
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<td><strong>Page 16: Issue 14: Reducing complexity across the system</strong></td>
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<tr>
<td>Q44</td>
<td>42. What other changes should be made to the RMA to reduce undue complexity, improve accessibility and increase efficiency and effectiveness?</td>
<td>Respondent skipped this question</td>
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<td>Q45</td>
<td>43. How can we remove unnecessary detail from the RMA?</td>
<td>Respondent skipped this question</td>
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<td>Q46</td>
<td>44. Are any changes required to address issues in the interface of the RMA and other legislation beyond the Local Government Act 2002 and Land Transport Management Act 2003?</td>
<td>Respondent skipped this question</td>
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