IPENZ Transportation Group Conference 2013
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TOPICS

• Resource Management Reform Bill 2012
• Discussion Document “Improving our Resource Management System”
• Impact of Changes of Transportation Engineers

RESOURCE MANAGEMENT REFORM BILL 2012

The Resource Management Reform Bill 2012 is a part of the Phase 2 reforms and provides for:
• Six month processing of medium sized consents;
• Streamlined hearing process - Auckland Unitary Plan;
• Environment Court consenting - major regional projects;
• Enhanced requirements for Councils - robust planning decisions; and
• Other amendments aimed at improving RMA processes.

BILL: SIX MONTH CONSENT TIME

• Medium sized projects
• Six month processing to decision
• Public notification: 130 working days
• Limited notification: 100 working days
• Date changes
Bill: Six Month Consent Time continued

Bill: S42A Reports

- Proposal: s42A report may adopt any information in an application for resource consent
- Currently: only AEE incorporated

Bill: Stopping the Clock

- Only stop for first further information request
- Only stopped 3 working days after the further information request
- See Section 88B & 88BA

Bill: Direct Referral to Environment Court

- Certain value of investment to be set by regulations
  - > value: must be directly referred if requested
  - Environment Court assesses as usual

Bill: Auckland Combined Plan

- One hearing at council level
- Independent commissioners
- No Environment Court
- Only appeal on points of law to High Court
Bill: Auckland Combined Plan

Proposed Plan Notified → 80 working days Submissions → Summary of Submissions → Hearing → 30 working days Further Submissions


Bill: New Application Requirement

- AEE MUST include new Schedule 4 matters
- Specific information in applications
- Justify why permitted activity

Bill: Auckland Combined Plan

Bill: Section 32

- "More robust cost-benefit analysis"
- S32 → S32 + S32AA
- New: opportunity costs lost due to proposal
- Report = scale and effects of proposal

Resource Management Discussion Document

Six core objectives:
- Greater National consistency and guidance;
- Fewer, better resource management plans;
- An effective and efficient consenting system;
- Better natural hazard management;
- Effective and meaningful Maori participation; and
- Working with Councils to improve the RMA service performance

Greater National Consistency and Guidance

To Achieve This:
- Change sections 6 and 7 of the RMA
- Government powers to direct plan changes
- More efficient and effective NPS’s and NES’s

Fewer and Better Resource Management Plans

To Achieve This:
- National plan template - standard terms and definitions
- Obligation to plan positively for future needs (eg, land supply)
- Joint plan process – narrowed appeals
- Fast Environment Court proceedings

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### More Efficient and Effective Consenting

**To Achieve This:**
- 10 working day time limit
- "Approved exemption"
- Specifying non-notified basis
- Limited scope of conditions
- Limited participation

### Better Natural Hazard Management

**To Achieve This:**
- Natural hazards added to principles of the RMA
- Amend Section 106 RMA
- Consider natural hazards in subdivision, land use

### Significance for Transportation Engineers

- Clock stopping: Provide requested further information within three working days
- All Schedule 4 information included in applications
- Set out reasons for permitted activities
- Transport input into Section 32 report: adhere to the new analysis requirements
- New timeframes when assessing and reviewing applications or parts of applications
- Section 42A reports: adopt any information in an application

### Bill: Significance for Transportation Engineers continued

- Environment Court standard evidence
- Change in dynamics
- Cross examination – experiences witnesses
- Witness conferencing

### Conclusion

- Ideas at this stage
- If pursued, Bill before law
- Be aware of directions of changes