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Message from the Ministry for the Environment

Kia ora koutou,

The Ministry has had a busy start to 2024. We continue to make changes to our operating model to make sure we are set up to work as effectively as we can, and to respond to the direction set by the Government.

MfE, alongside other agencies and Ministries, has continued to support the Government follow its coalition commitments for its first 100-days in office.

Soon after taking office the Government indicated it would take a phased approach to resource management reform. During the first phase of changes, in December 2023, it repealed the Natural and Built Environment Act (NBA) and the Spatial Planning Act.

Some parts of the NBA were retained, including its fast-track consenting regime, as an interim step while new legislation was developed.

In the second phase the Government introduced legislation for a fast-track approvals regime (to make it easier to consent new infrastructure including renewable energy and other developments). It also intends to make amendments to the RMA and will provide national direction on the Going for Housing Growth package.

In the third phase of reform, the Government intends to replace the existing Resource Management Act 1991 with new legislation.

Work to review and replace the National Policy Statement for Freshwater Management 2020 has begun and is expected to take 18-24 months, including consultation.

Last year's severe weather has focused attention on the importance of both reducing our greenhouse gas emissions and preparing for the impacts. Our work on the proposed National Policy Statement for Natural Hazard Decision-Making continues, and work is underway to create the second Emission Reduction Plan (ERP2).

We look forward to continuing working with you on these programmes.

Ngā mihi nui, nā



Nadeine Dommissé,
Deputy Secretary, Environment Management and Adaptation

Fast-track Approvals Bill introduced

The Government introduced the Fast-track Approvals Bill to Parliament for Select Committee review on 7 March.

The Bill's focus is on establishing fast-track legislation to increase delivery of a range of regionally or nationally significant infrastructure and development projects. If passed, a standalone fast-track act could become law later this year.

The Bill's proposed 'one-stop shop' process will be used for resource consents, notices of requirement, and certificates of compliance under the Resource Management Act. It will also include approvals required under the:

- Wildlife Act 1953
- Conservation Act 1987
- Reserves Act 1977
- Freshwater Fisheries Regulations 1983

- Heritage New Zealand Pouhere Taonga Act 2014
- Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
- Crown Minerals Act 1991
- Public Works Act 1981
- Fisheries Act 1996

Summary of proposals:

The Bill includes proposals on:

- The fast-track application process and project eligibility.
- The Ministers involved in assessing projects, for referral to an Expert Panel for evaluation.
- Who the Ministers and Panels must consult with during the process.
- The Expert Panels' role, and their members' required expertise.
- Which other Acts and legislation are relevant to the "one-stop-shop" approval process.
- Provisions for Treaty of Waitangi settlements and other arrangements.

Engagement

There will be a further opportunity to give feedback on the proposed legislation during the Select Committee process.

Thanks to partners and stakeholders who attended MfE information sessions on the Bill earlier this year.

For more information, and to make a submission, [click here](#).

Please contact rm.reform@mfe.govt.nz with any questions.

National Policy Statement for Freshwater Management and other regulations

The Government will review and replace the National Policy Statement for Freshwater Management 2020. This process is expected to take 18–24-months and will include consultation.

In the interim, the Government wants to address concerns about how the hierarchy of obligations contained in the Te Mana o te Wai provisions of the NPS-FM is being applied to individual resource consent applications and decisions.

- Individual resource consent applicants are being asked to demonstrate how their activity adheres to the hierarchy of obligations of Te Mana o te Wai within the NPS-FM
- Consent authorities are applying the hierarchy of obligations in their consent decision making.

These changes are expected to be introduced as part of a bill amending the RMA.

Government has already extended the deadline for councils to notify freshwater plans and policy statements by three years until the end of 2027.

Temporary law change proposed to speed up Hawke's Bay flood resistance work

Flooding from Cyclone Gabrielle resulted in significant areas of land in the Hawke's Bay that require the development of new stop banks, spillways and other infrastructure to protect homes and communities from future flooding.

A temporary law change is being proposed to make it easier to improve flooding resilience at specific sites in the Hawke's Bay.

The temporary law change, in the form of an Order in Council under the Severe Weather Emergency Recovery Legislation Act 2023, would make changes to the Resource Management Act to streamline the resource consenting process for flood resilience work at these specific sites.

The Order was developed in response to a request from the Hawke's Bay Regional Recovery Agency.

Public engagement on the proposed Order in Council is underway now. You can [find out more on the Ministry website](#) and email your feedback to severeweather@mfe.govt.nz before 5pm on Monday, 18 March.

Highly productive land proposed changes

The Government has committed to reduce consenting barriers for infrastructure, housing and primary production as part of their 100-day plan.

This work includes the Ministry for the Environment (MfE) exploring options around the definition of highly productive land (HPL) to enable more flexibility.

Urban expansion onto HPL can already occur in certain circumstances, but officials

are reviewing the NPS-HPL to consider how it could enable more 'greenfield' housing development.

Officials are also reviewing submissions and working on advice for Ministers following consultation on two potential amendments to the NPS-HPL. These relate to the development of new specified infrastructure (such as renewable energy generation), intensive indoor primary production and greenhouses on highly productive land (HPL).

Consultation on these two potential amendments happened in September and October last year and advice will be given to Ministers on next steps in due course.

National Policy Statement for Natural Hazard Decision-Making consultation

In September 2023, the Government launched public consultation on the proposed National Policy Statement for Natural Hazard Decision-Making (NPS-NHD). The proposed NPS-NHD aims to direct how decision-makers consider natural hazard risk in planning decisions relating to new development under the Resource Management Act 1991. Public consultation has now closed.

We received 102 submissions. The majority came from councils and groups representing councils.

Submissions from infrastructure providers and industry bodies were the second largest group, followed by Māori organisations and the construction and development sectors.

Submissions were also received from the banking and insurance sectors, NGOs, academics and research organisations.

We would like to thank everyone who took the time to submit. Feedback has been thoughtful and opinions diverse.

Staff have drafted a briefing, based on the feedback received through the consultation process, for the Minister for Climate Change and Minister Responsible for RMA Reform. This briefing will seek direction from Ministers on the next steps.

Work underway on second Emissions Reduction Plan

Work is underway to create the second Emission Reduction Plan (ERP2). This will set-out actions needed to reduce emissions to meet the emission budget for the years 2026 – 2030.

Success of this plan will depend on all New Zealanders taking action, noting that the private sector, local government, iwi and Māori, households and individuals will all have a role to play. Throughout development government will be conducting targeted engagement from a range of voices and perspectives, including public consultation in the middle of the year.

The final ERP2 will be published by the end of 2024.

Updated coastal hazards and climate change guidance has been released.

This technical guidance is designed for practitioners in land-use planning, resource management, building consenting, asset and flood risk management, and infrastructure planning.

It helps decision makers consider the potential effects of coastal hazards and climate change, based on the latest scientific information. It draws on research from the Intergovernmental Panel on Climate Change and data on sea-level rise in Aotearoa New Zealand. [Read the guidance here.](#)

Practitioners are invited to attend a webinar at 1pm on Wednesday 27 March 2024. The session will be recorded and will include a presentation from the authors and time for questions. [To attend, register here.](#)