

Hon Chris Bishop

Minister of Housing
Minister for Infrastructure
Minister Responsible for RMA Reform
Minister for Sport and Recreation
Leader of the House
Associate Minister of Finance



13 December 2023

Tēnā koe,

Intention to repeal the Natural and Built Environment Act 2023 and the Spatial Planning Act 2023 and replace the National Policy Statement for Freshwater 2020

It is a privilege to be able to write to you as the new Minister Responsible for RMA Reform. I look forward to meeting with you in due course.

As you may be aware, the Government has set out its commitments for its first 100 days in office. These include changes to resource management legislation.

Repeal of Natural and Built Environment Act and the Spatial Planning Act

Our first step is to repeal the Natural and Built Environment Act 2023 (NBA) and Spatial Planning Act 2023 (SPA) before Parliament rises at the end of 2023, a commitment made in the Government's coalition agreements. Once the repeal is finalised, legislation will revert to the Resource Management Act 1991 (RMA).

To avoid unnecessary disruption through the repeal, a limited number of NBA functions will be retained including the fast-track consenting process while the Government develops a replacement fast-track consenting regime. We will introduce this new regime within the first 100 days of taking office alongside other changes to make the RMA faster and easier to use.

The Government is committed to reforming the resource management system. Repealing the NBA and SPA is the first phase of this reform.

In the second phase of the reform, the Government will amend the RMA to make it easier to consent new infrastructure including renewable energy, allow farmers to farm, build more houses, and enable aquaculture and other primary industries.

The third phase of the reform will replace the RMA with new resource management laws based on the enjoyment of property rights.

The Government is committed to honouring the undertakings made by the Crown through Treaty of Waitangi settlements and other arrangements. Treaty settlement arrangements reached between iwi and the Crown will be protected through the repeal and any future resource management reform processes.

Changes to the National Policy Statement for Freshwater Management

We have also decided to review and replace the National Policy Statement for Freshwater Management 2020 (NPS-FM) in this term of Government, following normal RMA processes for national direction.

We will also use the repeal legislation mentioned above to extend the RMA's statutory deadline for notifying freshwater planning instruments to implement the NPS-FM by three years to 31 December 2027. This will allow time to replace and then implement a revised NPS-FM.

We intend to use the planned RMA amendment bill to progress changes to the application of the hierarchy of obligations contained in the Te Mana o te Wai provisions of the NPS-FM. Our intent is to clarify that consent applicants do not have to demonstrate how their individual activity adheres to the hierarchy, and to disapply the hierarchy from council consent decisions. We will undertake targeted engagement with iwi/ hapū/Māori on these matters before making final decisions.

I appreciate the expertise that local government holds and the key role you will continue to play in the resource management system. I acknowledge that over the last two years or more you may have committed significant time and resources into the broader resource management reforms.

I look forward to working with you and understanding your perspective as we move forward. Should you have any questions in the meantime, please contact RM.reform@mfe.govt.nz.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Bishop'.

Hon Chris Bishop
Minister Responsible for RMA Reform